reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) The members of the Commission from private life shall each receive $50 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

SEC. 4 (a) (1) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of the civil-service laws and the Classification Act of 1949, as amended.

(2) The Commission may procure, without regard to the civil-service laws and the Classification Act of 1949, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the act of August 2, 1946 (60 Stat 810), but at rates not to exceed $50 per diem for individuals.

(b) All employees of the Commission shall be investigated by the Federal Bureau of Investigation as to character, associations, and loyalty and a report of each such investigation shall be furnished to the Commission.

EXPENSES OF THE COMMISSION

SEC. 5. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this joint resolution.

DUTIES OF THE COMMISSION

SEC. 6. The Commission shall study and investigate—

(1) the administration of the existing immigration and naturalization laws and their effect on the national security, the foreign policy, the economy, and the social welfare of the United States; and

(2) such conditions within or without the United States which, in the opinion of the Commission, might have any bearing on the immigration and naturalization policy of the United States.

POWERS OF THE COMMISSION

SEC. 7. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this joint resolution, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (2 U. S. C. secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purposes of this joint resolution, and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

REPORTS

SEC. 8. The Commission shall submit interim reports to the Congress and the President at such time or times as it deems advisable, and shall submit its final report to the Congress and the President not later than April 30, 1956. The final report of the Commission may propose such legislative enactments and administrative actions as in its judgment are necessary to carry out its recommendations.

TERMINATION OF THE COMMISSION

SEC. 9. Ninety days after the transmittal to the Congress of the final report provided for in section 8 of this act, the Commission shall cease to exist.

Will the Voices of the Baltic Peoples Be Heard at the Summit?

EXTENSION OF REMARKS

OF

HON. LOUIS C. RABAUT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 28, 1955

Mr. RABAUT. Mr. Speaker, with prayerful expectation the world awaits the much-heralded meeting at the summit, that nether, nether land habitated by the titular heads of powerful states—some the elected representatives of their peoples, others the self-appointed managers of their people's fates. Whatever their sovereign status the fact still remains that the lives of countless millions will weigh heavily in the balance of their decisions. But what of the great multitude of people who will not have voice or representation on this hallowed summit? Who is to decide their case? Who is to give voice to their feeble cries for freedom? Their erstwhile protectors will see to it that the embarrassing questions about inhumane and criminal treatment that is foisted upon them will never appear before this world forum.

The freedom-hungry peoples that I refer to are the Estonians, Latvians, and Lithuanians; sometimes referred to as the Baltic States. Their incorporation into the Soviet Union was itself a miscarriage of national justice, if there be such a legal entity; but the mass deportation of these peoples to the mining and slave-labor camps of Russia will take its place among the irremovable blights upon the conscience of all humanity. I ask my colleagues to take cognizance of these inhumanities and to join me in denouncing the inhuman acts of its perpetrators.

I should like to include with my remarks a letter which accompanied the resolution that was drawn by the Baltic Nations Committee of Detroit on the occasion of their commemoration of the mass deportations that took place in their countries on June 12, 1941. My Michigan colleague, the Honorable JOHN D. DINGELL, previously published the resolution which appears in the July 27 RECORD. The letter follows:

THE BALTIC NATIONS
COMMITTEE OF DETROIT,
Highland Park, Mich., June 12, 1955.

The Honorable LOUIS C. RABAUT,
House of Representatives,
Washington, D. C.

SIR: On the occasion of the 14th anniversary of mass deportations from Baltic States by the Communists and on the 15th anniversary of the incorporation of Estonia, Latvia, and Lithuania into the Soviet Union, commemorated by Estonians, Latvians, and Lithuanians in Detroit area on June 12, 1955, the enclosed resolution was adopted which we would respectfully call to your attention.

Since national freedom and independence are dear to all freedom-loving people, our nations look to the leaders of the free world for help in restoring freedom to the enslaved people of Estonia, Latvia, and Lithuania.

Any assistance that you, as honorable Member of the House of Representatives of the United States, could give to restore the freedom of our beloved countries will be forever appreciated by the people of Estonia, Latvia, and Lithuania.

Very truly yours,

THE BALTIC NATIONS COMMITTEE OF DETROIT,
SIGURDS RUDZITIS,
Chairman; President of the Latvian Association in Detroit.

SENATE

WEDNESDAY, JUNE 29, 1955

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, in whose peace our restless spirits are quieted, quicken our understanding; take Thou the dimness of our souls away; help Thy servants in this Chamber of governance to lift the difficult decisions of the public service into Thy holy light. Flood our darkness with the radiance of the Eternal. Grant us inner greatness of spirit, purity of heart, and clearness of vision, to meet and match the vast designs of this changing, demanding day, that we may keep step with the drumbeat of Thy truth, which even across this shaken earth is marching on to its coronation in the affairs of men.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 28, 1955, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 28, 1955, the President had approved and signed the following acts and joint resolution:

S. 67. An act to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes;

S. 120. An act for the relief of Vasilios Demetriou Kretsos and his wife, Chryssa Thomaidou Kretsos;

S. 284. An act for the relief of Margarita Oy Wan Chan;

S. 471. An act for the relief of Aina Brizga;

S. 574. An act for the relief of Martin P. Pavlov;

S. 600. An act to amend title 18 of the United States Code relating to the mailing and transportation of obscene matter;

S. 604. An act for the relief of Alick Bhark;

S. 640. An act for the relief of Roger Ouellette;

S. 650. An act for the relief of Antonios Vasillos Zarkadis;

S. 676. An act for the relief of Robert A. Borromeo; and

S. J. Res. 60. Joint resolution directing a study and report by the Secretary of Agriculture on burley tobacco marketing controls.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the joint resolution (S. J. Res. 85) to extend for temporary periods certain housing programs, the Small Business Act of 1953, and the Defense Production Act of 1950.

The message also announced that the House had passed the bill (S. 1718) to provide certain clarifying and technical amendments to the Reserve Officer Personnel Act of 1954, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6367) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1956, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 30, 40, and 47 to the bill, and concurred therein, and that the House had receded from its disagreement to the amendments of the Senate numbered 43, 29, and 48 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6871. An act to continue the effectiveness of the act of December 2, 1942, as amended, and the act of July 28, 1945, as amended, relating to war-risk hazard and detention benefits until July 1, 1956; and

H. R. 6980. An act providing for the conveyance of the Old Colony project to the Boston Housing Authority.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 6871. An act to continue the effectiveness of the act of December 2, 1942, as amended, and the act of July 28, 1945, as amended, relating to war-risk hazard and detention benefits until July 1, 1956; to the Committee on Labor and Public Welfare.

H. R. 6980. An act providing for the conveyance of the Old Colony project to the Boston Housing Authority; to the Committee on Banking and Currency.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on Investigations of the Committee on Government Operations was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Internal Security Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, before the Senate proceeds further, I should like to announce the program for the day and the remainder of the week, insofar as it is now known.

The pending business is Calendar No. 580, S. 1849, relating to career conditional and career appointments for certain indefinite civil-service employees. In addition, it is expected to complete action today on three other bills from the Post Office and Civil Service Committee. These are Calendar No. 511, S. 1041, to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States; Calendar No. 521, S. 1292, to readjust postal classification on educational and cultural materials; and Calendar No. 579, S. 63, to provide for the appointment of the heads of regional and district offices of the Post Office Department by the President by and with the advice and consent of the Senate. All of these bills have been previously announced.

It is also expected that the Senate will receive today from the House conference reports on the Commerce appropriation bill and the bill providing for salary increases for District of Columbia judges.

Tomorrow I hope there may be a call of the calendar of measures to which there is no objection, beginning from where we left off on the last call.

I should also like to inform the Senate that in the event certain bills which have been cleared for floor consideration do not pass on the call of the calendar, motions will be made on the floor for their consideration.

I should like to have the distinguished minority leader follow me carefully at this stage of my statement, because I am not certain that I have discussed with the minority leader the measures to which I am about to refer. I refer to such bills as H. R. 619, to provide that all United States currency shall bear the inscription "In God We Trust"; S. 756, to provide that the United States shall aid the States in wildlife-restoration projects; S. 1077, to provide for settlement of claims for damages resulting from the disaster which occurred at Texas City, Tex., on April 16–17, 1947; as well as other measures now on the calendar.

I also plan to have action taken tomorrow on H. R. 6992, providing for a temporary extension of the increased debt limit; that is, provided it is reported from the Committee on Finance and the report is available. I just left the committee, and they are hopeful that the hearings and report will be available. The committee is also expected to report today H. R. 5560, relating to the free importation of household and personal effects brought into the United States under Government order.

I will say to the minority leader in explanation, so the RECORD may also show it, that of course none of the bills which have not been reported will be brought up by motion tomorrow unless he is agreeable to that course.

Among the bills which will be considered on motion tomorrow, following the call of the calendar, will be Calendar No. 256, S. 669, the District home rule bill; Calendar No. 258, S. 184, making certain amendments in the laws governing the regulation of public utilities in the District; Calendar No. 269, S. 1633, authorizing members of the Alaska Legislature to become candidates for election to a constitutional convention; and Calendar No. 594, S. 987, authorizing a boundary survey between Maryland and Delaware.

Mr. President, I hope that on Friday the Senate can consider the military construction authorization bill. It has been indicated by the able chairman of the subcommittee, the Senator from Mississippi [Mr. STENNIS] that the bill will be considered by the full Committee on Armed Services tomorrow. If the bill is reported tomorrow and if the reports are available, I am hopeful that bill can be brought up on Friday. It is an authorization measure, which must precede an appropriation. I understand the Executive will request action on it before Congress adjourns.

In addition, the Senate will consider any of the bills previously announced which have not been disposed of by that time, as well as any new proposed legislation which has been reported to the Senate and which is noncontroversial.

Mr. President, I have gone into some detail in referring to some measures which are generally regarded as being of minor importance but I did so in order that every Senator may be on notice of the legislative plans of the leadership. The minority leader himself is very hopeful that measures involving no great controversy will be brought up in the Senate on Friday, as well as on next Tuesday, in order that Senators may be protected, so far as we are able to protect them, when they are away on speaking engagements.

If the Appropriations Committee reports the public-works bill in ample time, it is my hope to bring that bill up on Tuesday, to have general discussion thereon, and perhaps act on minor amendments or noncontroversial amendments. It is our hope and plan to avoid any quorum calls or yea and nay votes

on that day. That is no guaranty, because no leader, no two leaders, no number of leaders, can ever assure the Senate that there will not be quorum calls or yea and nay votes. However, the legislative program will be arranged with the objective in mind which I have stated.

M. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the distinguished minority leader.

Mr. KNOWLAND. I wonder if the Senator will give some advice to the Senate respecting action on the treaties on the calendar. Under the general understanding, there will be yea and nay votes on the treaties. I had understood the treaties might be taken up next week. I wonder whether the Senator would have in mind having the treaties taken up on perhaps next Wednesday or Thursday, if that will fit into the program, so Senators may be on notice.

Mr. JOHNSON of Texas. Mr. President, I had announced yesterday, or the day before, that the Senate would probably have a vote on the treaties today or tomorrow. After that announcement was made I received the very cheering information that our beloved colleague, the chairman of the Foreign Relations Committee, the senior Senator from Georgia [Mr. GEORGE], would be likely to return to the Senate next Tuesday. I conferred with the minority leader, regarding the treaties, and he expressed the hope that the Senate might perhaps have yea and nay votes on the treaties next Wednesday or Thursday. That is perfectly agreeable to me. I am not in a position to say positively that the chairman of the Foreign Relations Committee will be back at that time. As soon as a definite date can be fixed, I will announce it. No date will be set except with the knowledge and concurrence of my colleague, the minority leader. The nearest date on which the Senate is expected to vote on the treaties is, as the minority leader has suggested, next Wednesday or Thursday.

Mr. KNOWLAND. I thank the Senator from Texas.

ORDER FOR CALL OF CALENDAR TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that following the completion of the morning business tomorrow, there may be a call of the calendar of measures to which there is no objection, beginning with Order No. 642.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

UNITED NATIONS

The Chief Clerk read the nomination of John C. Baker, of Ohio, to be a representative of the United States of America on the Economic and Social Council of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate resumed the consideration of legislative business.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that during the morning hour, in connection with the presentation of petitions and memorials, the introduction of bills, and the transaction of other routine business, there be the usual 2-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

SEMIANNUAL REPORT OF SECRETARY OF DEFENSE

A letter from the Secretary of Defense, transmitting, pursuant to law, his semiannual report, together with those of the Secretaries of the Army, the Navy, and the Air Force, for the period July 1 to December 31, 1954 (with an accompanying report); to the Committee on Armed Services.

AUDIT REPORT ON FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Fish and Wildlife Service, Department of the Interior, for the fiscal year ended June 30, 1954 (with an accompanying report); to the Committee on Government Operations.

REPORT ON INTELLIGENCE ACTIVITIES

A letter from the Chairman, Commission on Organization of the Executive Branch of the Government, transmitting, pursuant to law, a report of that Commission on intelligence activities, dated June 1955 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF MERCHANT MARINE ACT, RELATING TO RESEARCH AND EXPERIMENTAL WORK WITH VESSELS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize research and experimental work with vessels, vessel propulsion and equipment, port facilities, planning, and operation and cargo handling on ships and at ports (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

REPORT OF COMMISSION FOR 200TH ANNIVERSARY OF BIRTH OF JOHN MARSHALL

A letter from the Chairman, United States Commission for the Celebration in 1955, of the 200th Anniversary of the Birth of John Marshall, transmitting, pursuant to law, a report of that Commission (with an accompanying report); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Georgia; to the Committee on Appropriations:

"House Resolution 15

"Resolution relative to Federal appropriations for the construction of dams, locks, and basins in Georgia; and for other purposes

"Whereas the construction of the Fort Gaines dam and lock will mark the completion of the Apalachicola-Chattahoochee-Flint waterway from Columbus, Ga., to the Gulf of Mexico, which project was approved by Congress and authorized for the purposes of providing hydroelectric power, means of navigation, flood control, recreation, and other benefits; and

"Whereas when the Apalachicola network is connected with the Intracoastal Waterway it will be of great strategic importance to the United States; and

"Whereas the construction of the Hartwell Dam on the Savannah River and the construction of a turning basin in the Savannah River to implement the efficiency of the Georgia Ports Authority will provide untold benefits for the Nation, and more particularly for the people of this State; and

"Whereas it is highly desirable that all these projects be completed at the earliest possible time: Now, therefore, be it

"Resolved by the General Assembly of Georgia, That the United States Congress be urgently requested to sustain the recommendation of the House Appropriations Committee for beginning construction moneys for the Fort Gaines dam and lock; funds toward the completion of the cut across St. George's Island, which will connect Apalachicola Bay and the harbor with the Gulf of Mexico, and necessary amounts for Apalachicola River Channel improvement; and that Congress be requested to appropriate necessary funds with which to begin construction of the Hartwell Dam on the Savannah River, and the total sum necessary for construction of the turning basin in the Savannah River to implement the efficiency of the Georgia Ports Authority; be it further

"Resolved, That all the Members of the Georgia congressional delegation be urged to pursue these matters as diligently as possible in order that this State may reap the benefits which would be forthcoming; be it further

"Resolved, That a copy of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, and each Member of the Georgia congressional delegation.

"MARVIN E. MOATE,
"Speaker of House.
"J. P. BORN,
"Clerk of House."

A resolution adopted at a mass meeting of United States citizens of Lithuanian, Latvian, and Estonian descent, at Los Angeles, Calif., protesting against continued Russian occupation of the Baltic States, and so forth; to the Committee on Foreign Relations.

A resolution adopted by Lithuanian Americans of the city of Kenosha, Wis., favoring a discussion of the liberation of all Soviet-enslaved countries at the forthcoming Geneva Conference; to the Committee on Foreign Relations.

HOSPITAL AND MEDICAL EXPENSES OF VETERANS OF THE CIVIL WAR—RESOLUTION

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a letter which I have received from E. A. Rousseau, commander of David Wisted Post, No. 28, of the American Legion, Duluth, Minn., dated June 25, 1955, enclosing a copy of the resolution which was passed by that post, relating to a bill which I had introduced in behalf of Albert Woolson, the last survivor of the Grand Army of the Republic.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
DAVID WISTED POST, NO. 28,
Duluth, Minn., June 25, 1955.

Hon. EDWARD J. THYE,
United States Senator, Minnesota,
United States Senate,
Washington, D. C.

DEAR SENATOR ED: The attached resolution, unanimously approved by the members present at our election and installation meeting held June 23, 1955, expresses our sincere appreciation for your efforts and cooperation in behalf of our comrade, Albert Woolson, who is the last survivor of the Grand Army of the Republic.

Very truly yours,
E. A. ROUSSEAU,
Commander.

Whereas it was called to the attention of David Wisted Post No. 28, The American Legion, Department of Minnesota, that no provisions have been made by our Government to take care of hospital and medical expenses of veterans of the Civil War, and

Whereas our comrade, Albert Woolson, of Duluth, last survivor of the Grand Army of the Republic, has been ill and has contracted hospital expenses; and

Whereas, this was called to the attention of Senator EDWARD J. THYE in Washington by David Wisted Post, No. 28; and

Whereas said Senator introduced a bill which became law on June 21, 1955, to take care of all accrued and future medical expenses of Mr. Woolson: Now, therefore, be it

Resolved, That said David Wisted Post, No. 28, commend and thank Senator THYE for his efforts in putting this bill through and that a copy of this resolution be sent to Senator THYE.

DAVID WISTED POST, NO. 28,
THE AMERICAN LEGION,
DEPARTMENT OF MINNESOTA,
E. A. ROUSSEAU,
Commander.
LEE M. LARSON,
Adjutant.

RESOLUTION BY MINNESOTA STATE BAR ASSOCIATION ENDORSING WARREN E. BURGER FOR CIRCUIT JUDGE OF THE COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a letter which I have received from Bert A. McKasy, executive secretary of the Minnesota State Bar Association, enclosing a resolution endorsing Warren E. Burger, a member of the Minnesota State Bar Association, for appointment as circuit judge of the Court of Appeals for the District of Columbia.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

MINNESOTA STATE BAR ASSOCIATION,
Minneapolis, Minn., June 27, 1955.

Hon. EDWARD THYE,
United States Senate,
Washington, D. C.

DEAR SENATOR THYE: Enclosed herewith is a resolution unanimously adopted by the Minnesota State Bar Association in convention assembled in St. Paul, Minn., June 24, 1955.

Yours truly,
BERT A. MCKASY,
Executive Secretary.

Whereas Warren E. Burger, a member of the Minnesota State Bar Association, has been appointed circuit judge of the Court of Appeals for the District of Columbia Circuit; and

Whereas said Warren E. Burger is highly regarded by his fellow members of the Minnesota State Bar Association as a fit and proper person to assume the duties of a judge of the above appellate court: Now, therefore, be it

Resolved by the Minnesota State Bar Association, That it endorse the appointment by the President of the United States of the said Warren E. Burger as judge of said circuit court and that his appointment be confirmed by the Senate of the United States; and be it further

Resolved, That copies of this resolution be forwarded to the President of the United States and the chairman of the Senate Committee on Judiciary and Senators THYE and HUMPHREY, of Minnesota.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. CHAVEZ, from the Committee on Public Works:

S. 1577. A bill to enable the State of Connecticut to proceed with its program of highway modernization; with amendments (Rept. No. 691).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS (for Mr. KENNEDY):

S. 2360. A bill to establish general policies for mobilization purposes governing industrial properties of the United States;

S. 2361. A bill to facilitate the transfer of storage facilities between the military departments; and

S. 2362. A bill to amend section 601 of Public Law 155, 82d Congress, relating to certain real property transactions involving more than $25,000; to the Committee on Armed Services.

S. 2363. A bill to make the Alaska Railroad subject to the Government Corporation Control Act;

S. 2364. A bill to amend the Federal Property and Administrative Service Act of 1949, as amended, and for other purposes;

S. 2365. A bill extending the authority of the General Services Administration with respect to warehouses and other storage facilities operated by civilian agencies of the Government;

S. 2366. A bill relating to the traffic management functions of the General Services Administration;

S. 2367. A bill relating to the authority of the Administrator of General Services with respect to the utilization and disposal of excess and surplus Government property under the control of executive agencies;

S. 2368. A bill to add a new title relating to real property management to the Federal Property and Administrative Services Act of 1949, as amended; and

S. 2369. A bill to provide for improving accounting methods in the executive branch of the Government, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. SMATHERS when he introduced the above bills, which appear under a separate heading.)

By Mr. PURTELL:

S. 2370. A bill for the relief of Constantine Salmon, also known as Dervin James; and

S. 2371. A bill for the relief of Charles Black, also known as Joseph Clark; to the Committee on the Judiciary.

By Mr. MCCLELLAN:

S. 2372. A bill to amend the act to promote the conservation of wildlife, fish, and game in order to promote the integration of wildlife-conservation programs with water-resource developments; to the Committee on Interstate and Foreign Commerce.

By Mr. KERR:

S. 2373. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. KERR when he introduced the above bill, which appear under a separate heading.)

By Mr. KERR (for himself, Mr. CHAVEZ, Mr. GORE, Mr. SYMINGTON, Mr. NEUBERGER, Mr. THURMOND, Mr. MCNAMARA, Mr. MARTIN of Pennsylvania, Mr. CASE of South Dakota, Mr. KUCHEL, and Mr. COTTON):

S. 2374. A bill to authorize the Secretary of the Army to enter into contracts to furnish water for municipal water supplies from

flood control and river and harbor projects; to the Committee on Public Works.

By Mr. EASTLAND:

S. 2375. A bill to provide for 5-year terms of office for members of the Subversive Activities Control Board with one of such terms expiring in each calendar year; and

S. 2376. A bill to amend the Subversive Activities Control Act of 1950 to provide for the preliminary evaluation of derogatory information concerning individuals seeking Government employment, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. EASTLAND when he introduced the above bills, which appear under a separate heading.)

SUNDRY BILLS IMPLEMENTING RECOMMENDATIONS OF THE HOOVER COMMISSION

Mr. SMATHERS. Mr. President, on behalf of the Senator from Massachusetts [Mr. KENNEDY], I introduce, for appropriate reference, a series of 10 bills, implementing the legislative recommendations made by the Hoover Commission. I ask unanimous consent that a statement, prepared by the Senator from Massachusetts relating to these bills, may be printed in the RECORD.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bills, introduced by Mr. SMATHERS, for Mr. KENNEDY, were received, read twice by their titles, and referred as indicated:

To the Committee on Armed Services:

S. 2360. A bill to establish general policies for mobilization purposes governing industrial properties of the United States;

S. 2361. A bill to facilitate the transfer of storage facilities between the military departments; and

S. 2362. A bill to amend section 601 of Public Law 155, 82d Congress, relating to certain real-property transactions involving more than $25,000.

To the Committee on Government Operations:

S. 2363. A bill to make the Alaska Railroad subject to the Government Corporation Control Act;

S. 2364. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes;

S. 2365. A bill extending the authority of the General Services Administration with respect to warehouses and other storage facilities operated by civilian agencies of the Government;

S. 2366. A bill relating to the traffic management functions of the General Services Administration;

S. 2367. A bill relating to the authority of the Administrator of General Services with respect to the utilization and disposal of excess and surplus Government property under the control of executive agencies;

S. 2368. A bill to add a new title relating to real property management to the Federal Property and Administrative Services Act of 1949, as amended; and

S. 2369. A bill to provide for improving accounting methods in the executive branch of the Government, and for other purposes.

The statement presented by Mr. SMATHERS is as follows:

STATEMENT BY SENATOR KENNEDY

I am introducing today 10 bills which would, in part, implement a number of the legislative recommendations made by the Commission on Organization of the Executive Branch of the Government, the Hoover Commission. These bills are based upon recommendations in the various reports of the Hoover Commission referred to the Subcommittee on Reorganization of the Government Operations Committee of which I am the chairman.

The Hoover Commission, upon which the distinguished chairman of the Government Operations Committee, the senior Senator from Arkansas; the distinguished senior Senator from New Hampshire; and the distinguished former Senator from Michigan, Ambassador Ferguson, served, has made many recommendations designed to bring efficiency and economy to the operations of the Government. I have attempted to select from among the recommendations included in the reports referred to my subcommittee some which in my judgment merit careful consideration. I wish to make it clear that my introduction of these bills should not be construed as a personal endorsement of all of them; I am introducing them so that the Reorganization Subcommittee will have an opportunity to consider them in detail. To that end I have scheduled the first Senate hearings on the Hoover Commission reports for next week.

I wish to acknowledge the tremendous efforts exerted by the distinguished and prominent citizens who served on the Hoover Commission and its many task forces in their comprehensive study of the executive branch of Government with a view to eliminating wasteful practices and thereby reducing the cost of Government. I know full well that the very nature of the recommendations made by the Commission makes it certain that controversy will rage about many of them, but I wish to assure the Senate, the Congress, and all of the people of the United States that the Reorganization Subcommittee will do everything in its power to translate into better government and reduced expenditures those recommendations of the Hoover Commission which in our judgment will have those desired results.

The bills I am introducing at this time relate to the utilization and disposal of surplus property; the improvement of accounting practices and methods in the executive agencies; the management of real property of the Government; the policies concerning the Nation's industrial reserve facilities; the handling of the warehousing and storage problems of the executive agencies; the management of the Government's traffic functions; and the handling of Government records.

AMENDMENT OF TENNESSEE VALLEY AUTHORITY ACT OF 1933

Mr. KERR. Mr. President, I introduce, for appropriate reference, a bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes. I ask unanimous consent that a statement, prepared by me, relating to the bill, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2373) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes, introduced by Mr. KERR, was received, read twice by its title, and referred to the Committee on Public Works.

The statement presented by Mr. KERR is as follows:

STATEMENT BY SENATOR KERR

The proposed legislation would provide new sources of capital for the TVA power system to finance new generating capacity as it is required by the growing demands of the region.

Principal provisions of the bill are as follows:

1. TVA would be empowered to issue its own revenue bonds to be secured by power revenues and to be sold to private investors. TVA bonds would not be guaranteed by the Treasury, and would not add to the national debt.

2. It is also contemplated that additional power capacity might be made available to TVA under power purchase, lease, or lease-purchase agreements with agencies of the region which could finance new construction.

3. The new financing measures would be supplementary to present sources of capital, namely the appropriations provided by Congress and the revenues available from TVA power operations.

4. TVA would be required to pay into the Treasury a return on the net appropriations made for power purposes, at the average cost of money on the Treasury's marketable obligations. In lieu of the present requirement that TVA repay within 40 years appropriated funds invested in power, TVA would be required either to reinvest from revenues at least the equivalent of depreciation accruals, of reduce its capital obligations correspondingly, thereby maintaining the security of the Government's investment.

5. TVA would charge rates adequate to cover its operating expenses, statutory payments to States and counties in lieu of taxes, interest, and principal on bonds, payment of the return to the Treasury, and such a margin as would be desirable in TVA's judgment, consistent with maintaining the lowest practicable rates.

6. The TVA Board would continue to report its power operations and budget programs annually to the President and the Congress.

7. The receipts and expenditures of the TVA power system would not be considered in determining the amount of any national budgetary deficit or surplus, except as Congress may provide appropriations in the future and except for payments made by TVA to the Treasury for return on, or repayment of the Federal investment in the TVA power system.

TERMS OF OFFICE FOR MEMBERS OF SUBVERSIVE ACTIVITIES CONTROL BOARD—AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT

Mr. EASTLAND. Mr. President, I introduce two bills, and ask that they be received and referred to the Committee on the Judiciary.

The need for both these measures was clearly indicated in a recent conference between members of the Subversive Activities Control Board, representatives of the Department of Justice, and members of the Senate Internal Security Subcommittee, which is charged with observing administration of the Subversive Activities Control Act.

One of these bills would extend the term of members of the SACB from 3 years to 5. As the subcommittee pointed out in a report just made public, the Subversive Activities Control Board is a continuing body, with highly important functions of a quasi-judicial nature. Board members have many duties similar to the duties of a judge. Experience has shown that Board members grow in their capacity to handle their work as their knowledge in this special field increases.

In addition to providing for the longer period of service, this bill would fix the terms so that one would expire each year, thus assuring a continuing membership. Any member appointed to fill a vacancy occurring prior to the expiration of the term to which his predecessor was appointed would serve only for the remainder of that term, unless he should then be appointed to succeed himself.

The other measure would provide a means by which an applicant for Government employment, who believes he is barred by derogatory reports against him, could have those reports evaluated.

Under this bill, the evaluation would be undertaken by the Subversive Activities Control Board and the process could be used by an applicant either for a Government job or for work with a Government contractor, or for active military service.

At present, contractors in Government work will not employ persons on a job where security clearance is required, if anything of a derogatory character appears in the application for employment.

Security clearance may be obtained now only if a person is employed. Thus, the employer, if he desires to use the individual's services, must keep him on an unclassified job until his security status can be established. The proposed new procedure would entitle an applicant, if his record is satisfactorily explained, to a certificate of clearance.

This legislation would not exempt an applicant for Government employment from the customary agency loyalty procedures nor would it authorize the Board to entertain an appeal from any loyalty board decisions.

It is intended primarily to give an applicant for employment an opportunity to clear his record, if he considers that he has been denied employment in either of the three categories because of derogatory information possessed by any Government agency.

The procedure is simple. The individual would apply to the Board for a decision, declaring his loyalty to the Government of the United States; and give a full statement of the denial of his application for employment, and of the basis for his belief that the denial was based on derogatory information concerning him.

The Board will assign the case to an examiner, who will assemble, review, and evaluate all information possessed by any Government agency regarding the applicant. He also may take an oral or written statement from the applicant.

The Board will designate one of its members to review and take action on the examiner's report. If no probable ground has been found for belief that the applicant is a security risk, a certificate of that finding would be issued. If the inquiry shows otherwise, the Board will give the applicant written notice and no further action will be taken by the Board or any other Government agency.

If an employment officer, knowing that an applicant has been given a security certificate, denies him work solely on the ground of unevaluated derogatory information, the employment officer is subject to a fine of $1,000 or imprisonment, or both.

I believe that these two proposals are sound and necessary and merit the favorable consideration of the Congress.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. EASTLAND, were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 2375. A bill to provide for 5-year terms of office for members of the Subversive Activities Control Board with one of such terms expiring in each calendar year; and

S. 2376. A bill to amend the Subversive Activities Control Act of 1950 to provide for the preliminary evaluation of derogatory information concerning individuals seeking Government employment, and for other purposes.

DEPARTMENT OF COMMERCE AND RELATED AGENCIES APPROPRIATIONS—CONFERENCE REPORT

Mr. HOLLAND. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6367) making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1956, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield for a brief question?

Mr. HOLLAND. I yield.

Mr. JOHNSON of Texas. Is this a unanimous report on the part of the Senate conferees?

Mr. HOLLAND. It is unanimous on the part of the Senate conferees. It is unanimous on the part of the House conferees, except for the fact that one conferee, Mr. HORAN, of Washington, was not present. There was no dissent of any kind on the part of any conferee who participated.

Mr. JOHNSON of Texas. I thank the Senator, and congratulate him upon another job well done.

Mr. HOLLAND. I thank the distinguished majority leader.

Mr. President, I think it will be unnecessary to make any exhaustive report, other than that which is made in the formal conference report. As usual, the managers on the part of the House have made a somewhat more extended statement, and the fact that that statement and the conference report have been immediately accepted by the House indicates rather clearly that there is no serious trouble in connection with the conference report.

It might be well to say that, in connection with the increase made by the Senate in the appropriations for the Federal-aid road program, the Senate conferees and the House conferees divided the difference between the two bills. Senators will remember that the Senate, in this field, stepped up the House appropriation by $80 million, and that amount was divided in half.

In connection with the appropriation for the Civil Aeronautics Board for subsidies for air carriers, Senators will remember that the House amount was $40 million. The Senate amount was $55 million. The amount shown by the conference is $52,500,000.

In the matter of subsidies for maritime carriers, Senators will recall that the House amount was $90 million. The Senate amount was the budget amount of $115 million. The amount in the conference report is $110 million.

There are two other items which I should like to mention specifically. One is that the Senate amount, which would permit the handling of the full first year's program of the accelerated inter-American highway construction, was accepted by the House, so that the full amount of authorizations now available, that is, $25,250,000, is covered by the appropriation, as shown by the conference report, and is available in the first year, that is, in fiscal 1956.

Also, I should like to have the RECORD show that the amendment offered by the distinguished Senator from Rhode Island [Mr. GREEN] to the Weather Bureau appropriation, covering an enlarged program for the acquisition of new facilities to allow improved hurricane warning service, tornado warning service, and heavy storm warning service was agreed to by the House. It was in the amount of $2,500,000 to be available over the next 4 years. The House accepted that floor amendment which increased that item to $7,500,000, and also accepted the amendment of $2,100,000, which was in the Senate bill, over and above the amount provided by the House bill for annual operations in that same field of activity in fiscal 1956.

Mr. President, if there are any questions with respect to any features of the bill, I shall be glad to attempt to answer them.

In closing, let me repeat that the Senate conferees were unanimous. The House conferees were unanimous, except that one of them was not in the city and could not participate.

So far as I know, the entire conference was pleasantly and agreeably concluded with the unanimous concurrence of all who could participate.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 6367, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.
June 29, 1955.

Resolved, That the House recede from its disagreement to the amendments of the

Senate numbered 30, 40, and 47 to the bill (H. R. 6367) entitled "An act making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1956, and for other purposes," and concur therein.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and concur therein with an amendment, as follows: Change "SEC. 105." to "SEC. 104."

That the House recede from its disagreement to the amendment of the Senate numbered 29, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"Vessel operations revolving fund: Hereafter the vessel operations revolving fund, created by the Third Supplemental Appropriation Act, 1951, shall be available for necessary expenses incurred, in connection with protection, preservation, maintenance, acquisition, or use of vessels involved in mortgage-foreclosure or forfeiture proceedings instituted by the United States, including payment of prior claims and liens, expenses of sale, or other charges incident thereto; for necessary expenses incident to the redelivery and lay-up, in the United States, of ships now chartered under agreements which do not call for their return to the United States; and for payment of expenses of custody and husbanding of Government-owned ships other than those within reserve fleets: *Provided*, That not to exceed $1,500,000 of the funds of the vessel operations revolving fund may be used during the fiscal year 1956 for the purposes set forth in this paragraph."

That the House recede from its disagreement to the amendment of the Senate numbered 48, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 206. Notwithstanding the provisions of any other law, the officer of the Army now serving as Governor of the Canal Zone shall, effective upon the day preceding his retirement, be considered to hold the grade of major general for all purposes, without regard to any limitations on the number of officers in that grade, and shall receive the pay and allowances of an officer of that grade and his length of service, and when retired under any provision of law shall be advanced on the retired list to such grade and shall receive the retired or retirement pay at the rate prescribed by law computed on the basis of the basic pay which he would receive if serving on active duty in such grade."

Mr. HOLLAND. Mr. President, before making the motion which I am about to make, I wish to report that in the field of appropriations for the Civil Aeronautics Administration the House agreed with the Senate that we should not close any safety installations at this time, but should await a report on a permanent program in that field. So the House agreed to the restoration of the appropriations up to the full budget amount, but not to the added amount of $975,000; but in the conference report we reaffirmed the Senate directive which will prohibit closing any of the currently operating facilities.

I now move that the Senate concur in the amendments of the House to the amendments of the Senate Nos. 29, 43, and 48.

The motion was agreed to.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a table indicating the amounts for the various appropriations contained in the Commerce Department and related agencies appropriations bill, as passed originally by the Senate, as passed originally by the House, and finally as passed by both Houses, under the conference agreement.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Department of Commerce and related agencies appropriation bill for fiscal year ending June 30, 1956

Appropriation item	1955 appropriation	1956 estimate	House allowance	Senate allowance	Conference allowance
(1)	(2)	(3)	(4)	(5)	(6)
TITLE I. DEPARTMENT OF COMMERCE					
OFFICE OF THE SECRETARY					
Salaries and expenses	[1] $2,050,000	$2,300,000	$[illegible],000	$2,217,300	$2,172,000
BUREAU OF THE CENSUS					
Salaries and expenses	6,200,000	7,400,000	6,200,000	7,100,000	6,900,000
Census of agriculture	16,000,000	6,000,000	5,500,000	5,500,000	5,500,000
Censuses of business, manufactures and mineral industries	8,430,000	4,655,000	4,000,000	4,000,000	4,000,000
Intercensal housing survey		500,000		500,000	0
Total	30,630,000	18,555,000	15,700,000	17,100,000	16,400.000
CIVIL AERONAUTICS ADMINISTRATION					
Operation and regulation		106,150,000	103,000,000	107,125,000	106,150,000
Establishment of air-navigation facilities	5,000,000	23,000,000	18,500,000	16,000,000	16,000,000
Establishment of air-navigation facilities (liquidation of contract authorization)		7,000,000	7,000,000	7,000,000	7,000,000
Grants-in-aid for airports		11,000,000	20,000,000	20,000,000	20,000,000
Federal-aid airport program, Federal Airport Act (liquidation of contract authorization)		7,500,000	7,500,000	7,500,000	7,500,000
Maintenance, and operation, Washington National Airport	1,350,000	1,415,000	1,350,000	1,415,000	1,350,000
Construction Washington National Airport	340,000	[2] 525,000	525,000	525,000	525,000
Maintenance and operation of public airports, Territory of Alaska	600,000	750,000	600,000	750,000	600,000
Air navigation development	1,050,000	2,000,000	1,050,000	1,600,000	1,050,000
Salaries and expenses	[3] 98,730,000				
Technical development and evaluation	700,000				
Federal-aid airport program, Federal Airport Act	22,000,000				
Claims, Federal Airport Act	69,449				
Land acquisition, additional Washington airport	16,297				
	129,855,746	159,340,000	159,525,000	161,915,000	160,175,000
CIVIL AERONAUTICS BOARD					
Salaries and expenses	3,777,000	4,125,000	3,900,000	4,125,000	4,125,000
Payments to air carrier	[4] 48,900,000	63,000,000	40,000,000	55,000,000	52,500,000
	52,677,000	67,125,000	43,900,000	59,125,000	56,625,000
COAST AND GEODETIC SURVEY					
Salaries and expenses	10,200,000	[5] 10,400,000	10,200,000	10,225,000	10,225,000
BUSINESS AND DEFENSE SERVICES ADMINISTRATION					
Salaries and expenses	6,320,000	[6] 7,300,000	6,198,000	6,975,000	6,198,000
BUREAU OF FOREIGN COMMERCE					
Salaries and expenses	2,000,000	2,200,000	1,800,000	2,200,000	2,000,000
Export control	[7] 3,481,000	3,000,000	2,500,000	2,800,000	2,650,000
	5,481,000	5,200,000	4,300,000	5,000,000	4,650,000
OFFICE OF BUSINESS ECONOMICS					
Salaries and expenses	900,000	1,000,000	975,000	900,000	900,000

[1] Excludes comparative transfer of $122,000 from "Salaries and expenses, Business and Defense Services Administration."
[2] Excludes proposed supplemental of $2,600,000 transmitted in H. Doc. 171.
[3] Includes $650,000 derived by transfer pursuant to Public Law 24, 84th Cong.
[4] Includes supplemental appropriation of $8,900,000 contained in Public Law 24, 84th Cong.
[5] Excludes proposed supplemental of $159,000 transmitted in H. Doc. 171.
[6] Includes amendment of $250,000 contained in H. Doc. 126.
[7] Excludes $119,000 transfer to other appropriations pursuant to Public Law 24, 84th Cong.

Department of Commerce and related agencies appropriation bill for fiscal year ending June 30, 1956—Continued

Appropriation item (1)	1955 appropriation (2)	1956 estimate (3)	House allowance (4)	Senate allowance (5)	Conference allowance (6)
TITLE I. DEPARTMENT OF COMMERCE—Continued					
MARITIME ACTIVITIES					
Ship construction	$82,600,000	[8] $102,800,000	$64,700,000	$102,800,000	$86,450,000
Operating-differential subsidies	[9] 115,000,000	115,000,000	90,000,000	115,000,000	110,000,000
Salaries and expenses	[10] 13,900,000	15,100,000	14,000,000	14,700,000	14,350,000
Maritime training	2,200,000	[11] 2,085,000	2,085,000	2,085,000	2,085,000
Repair of reserve fleet facilities	[12] 970,000				
Repair of reserve fleet vessels (liquidation of contract authorization)	12,000,000	6,000,000	6,000,000	6,000,000	6,000,000
State marine schools	[13] 610,000		660,000	660,000	660,000
Ship mortgage-foreclosure or forfeiture contingencies	[14] 2,019,000				
Vessel operations revolving fund (limitation)		([15])	Disallowed	([15])	(1,500,000)
War Shipping Administration liquidation (limitation)	(6,000,000)	(5,900,000)	(5,900,000)	(5,900,000)	(5,900,000)
	229,299,000	240,985,000	177,445,000	241,245,000	219,545,000
INLAND WATERWAYS CORPORATION					
Administrative expense limitation	(14,000)	(14,000)		(14,000)	(14,000)
PATENT OFFICE					
Salaries and expenses	11,500,000	12,000,000	14,000,000	14,000,000	14,000,000
BUREAU OF PUBLIC ROADS					
Federal-aid highways (liquidation of contract authorization)	[16] 595,000,000	680,000,000	600,000,000	680,000,000	640,000,000
Forest highways (liquidation of contract authorization)	[17] 18,500,000	25,000,000	18,500,000	25,000,000	21,750,000
Inter-American Highway	5,750,000	[18] 74,980,000	8,000,000	25,250,000	25,250,000
Public-lands highways (liquidation of contract authorization)	[19] 875,000	2,000,000	2,000,000	2,000,000	2,000,000
Reimbursement to the highway fund, District of Columbia	290,000				
	620,415,000	781,980,000	628,500,000	732,250,000	689,000,000
NATIONAL BUREAU OF STANDARDS					
Expenses		7,750,000	7,000,000	7,450,000	7,000,000
Plant and equipment		[20] 1,015,000	995,000	995,000	995,000
Operation and administration	1,000,000				
Research and testing	3,150,000				
Radio propagation and standards	2,100,000				
Construction of laboratories (liquidation of contract authorization)	115,000				
	6,365,000	8,765,000	7,995,000	8,445,000	7,995,000
WEATHER BUREAU					
Salaries and expenses	[21] 24,940,000	27,850,000	29,900,000	32,000,000	32,000,000
Establishment of meteorological facilities		5,000,000	5,000,000	7,500,000	7,500,000
	24,940,000	32,850,000	34,900,000	39,500,000	39,500,000
Total, title I	1,130,632,746	1,347,800,000	1,105,810,000	1,298,897,300	1,227,385,000
TITLE II. THE PANAMA CANAL					
CANAL ZONE GOVERNMENT					
Operating expenses	[22] 14,018,000	15,017,000	14,500,000	14,800,000	14,500,000
Capital outlay	1,415,000	1,881,000	1,800,000	1,800,000	1,800,000
	15,433,000	16,898,000	16,300,000	16,600,000	16,300,000
PANAMA CANAL COMPANY					
Administrative expense limitation	(3,589,000)	(3,850,000)	(3,589,000)	(3,740,000)	(3,740,000)
Total, title II	15,433,000	16,898,000	16,300,000	16,600,000	16,300,000
TITLE III. INDEPENDENT AGENCIES					
Advisory Committee on Weather Control	120,000	295,000	175,000	295,000	275,000
St. Lawrence Seaway Development Corporation (administrative expense limitation)	(250,000)	(280,000)	(280,000)	(280,000)	(280,000)
Tariff Commission	1,327,000	1,400,000	1,400,000	1,400,000	1,400,000
Total, title III	1,447,000	1,695,000	1,575,000	1,695,000	1,675,000
Grand total, titles I, II, and III	1,147,512,746	1,366,393,000	1,123,685,000	1,317,192,300	1,245,360,000

[8] Excludes proposed supplemental of $12,650,000 transmitted in H. Doc. 171.
[9] Includes supplemental appropriation of $50 million contained in Public Law 24, 84th Cong.
[10] Includes supplemental appropriation of $400,000 contained in Public Law 24, 84th Cong.
[11] Excludes proposed supplemental of $115,000 transmitted in H. Doc. 171.
[12] Contained in Public Law 24, 84th Cong.
[13] Excludes $50,000 transferred to other appropriations pursuant to Public Law 24, 84th Cong.
[14] Excludes $481,000 transferred to other appropriations pursuant to Public Law 24, 84th Cong.
[15] Language authorizing use of fund for ship mortgage foreclosure, etc.
[16] Includes supplemental appropriation of $95 million contained in Public Law 24, 84th Cong.
[17] Includes supplemental appropriation of $3,500,000 contained in Public Law 24, 84th Cong.
[18] Includes amendment of $69,230,000 contained in H. Doc. 126.
[19] Contained in Public Law 24, 84th Cong.
[20] Includes amendment of $765,000 contained in H. Doc. 126.
[21] Includes $190,000 derived by transfer pursuant to Public Law 24, 84th Cong.
[22] Includes supplemental appropriation of $230,000 contained in Public Law 24, 84th Cong.

NOTE.—Parenthetical figures are not added in totals appropriated; they are limitations on use of corporate or appropriated funds.

AWARD OF DEGREE OF DOCTOR OF HUMANE LETTERS BY HAMILTON COLLEGE TO SENATOR SMITH OF MAINE

Mr. PAYNE. Mr. President, early this month my distinguished colleague, the senior Senator from Maine, added another well-deserved honor to the many she has received in recognition of her outstanding service in the United States Senate. On June 5, 1955, Hamilton College in Clinton, N. Y., one of the Nation's oldest and finest men's liberal arts colleges, awarded Senator MARGARET CHASE SMITH an honorary doctor of humane letters degree. It is indeed fitting that Hamilton, which has sent so many of its distinguished sons to the Senate, including the present senior Senator from New York, should now make Senator SMITH an adopted daughter.

I ask unanimous consent that there appear at this point in the RECORD the text of the citation read at the commencement following the presentation of Senator SMITH for the degree by Senator IRVING M. IVES.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

HAMILTON COLLEGE, CLINTON, N. Y.—CITATION—MARGARET CHASE SMITH, DOCTOR OF HUMANE LETTERS

MARGARET CHASE SMITH: "As Maine goes, so goes the Nation," reads a political axiom.

If "as Maine goes" is to encompass the New England insight with which your constituents have returned you to Washington for these past 15 years, the Nation is indeed fortunate. You have been successively a teacher and businesswoman when in 1936 your husband became a Member of Congress and you, his secretary. To that task you brought both energy and talent, so that on your husband's death you were able to fill his unexpired term with great merit. You, yourself, were then elected to Congress and later, in 1949, to the United States Senate—a double tribute never before accorded a woman. In Washington, you are known as one who in party councils and in the committee room exercises a leadership that is quiet, firm, and positive. You have refused to surrender principles and freedoms to expediency. And, what is sometimes most difficult in a day when labels are flung about carelessly, you have remained a prophet with honor in your home State as attested by its increasing support. Hamilton holds precious in these times your willingness to enter public life and bring America courageous, intelligent leadership.

Acting on the authority of the board of trustees, I confer upon you the degree of doctor of humane letters of Hamilton College, admitting you to all of its rights and privileges. In token whereof, we invest you with this hood and present you this diploma.

JUNE 5, 1955.

AMERICAN FOREIGN POLICY—THE GENEVA CONFERENCE—DOMESTIC AFFAIRS

Mr. BENDER. Mr. President, in the past few weeks the people of America have been deluged by a flood of peace propaganda. As a nation dedicated to international peace, we have welcomed this change. Nevertheless, we must not be misled by this new climate of goodwill emanating from the Soviet Union.

The Trojan horse was child's play by contrast with the methods used by the Communists. William Shakespeare gave us a good line. He wrote, "A man may smile and smile and be a villain still." Let us not be taken in by Mr. Molotov's "new look." All of us remember the week before Pearl Harbor. We were entertaining a few gentlemen who were talking about peace at almost the moment their countrymen were bombing Hawaii.

I do not say that we are in imminent danger of a similar event. I hope not. But we would be foolish indeed if we went to sleep. We must not be misled into so drastic an error. This is the time to keep our guard up.

I say this, particularly, because we are on the eve of a most important international meeting. The usual technique of the Communists is to extend an olive branch before every conference. Then they withdraw it when the meetings take place. Their idea is simple. Build up high hopes and then dash them to earth. Forewarned should be forearmed. We should go into the Geneva meeting with few expectations of a lasting peace program.

President Eisenhower knows the facts. He has been telling us regularly that the Geneva meeting will not be an answer to the world's problems. It will be very much like the first round of a carefully planned boxing match. The participants will be sparring with each other. No one will be ready to go all out in any direction. In spite of this, I believe that the conference may serve a useful purpose. It will give the world a chance to see a new group of leaders at work. We know what happened at Versailles in 1919. We know what happened at Yalta. With this knowledge, President Eisenhower is not going to let the same things happen in Geneva.

I have devoted a good deal of this discussion to our foreign policy because it is the key factor in our domestic program. Our spending for military defense will amount to more than $31 billion in the next fiscal year. Many of our Federal agencies are staffed with thousands of employees as a direct result of our military needs. Foreign aid spending depends entirely upon our foreign relations policy. In virtually every field, there is a direct or indirect connection between what we do at home and our program overseas.

During the past few weeks, Congress has been concerned with the problem of Organized Military Reserves. Our National Guard units and our Army Reserve forces are often overlooked by the people of our country. I believe that we must correct this condition. In our present state of civilian unpreparedness, these men would be our secondary line of home defense along with our community police forces and fire departments in the event of any sudden attack. They would be called upon to take over vital emergency operations. Although they do not come to public attention very often they might play a major role in our security.

Foreign policy is the No. 1 item in our entire spending program. On June 3, 1955, the public debt of our Nation stood at $273,500,000,000.

It is possible that next year's spending may touch the old permanent debt limit of $275 billion.

Congress has been asked to raise this permanent ceiling to $281 billion. That is a lot of money. We ought to be thinking of ways and means of reducing the debt, not increasing it. I hope that we can. But I am sure that the people of our country agree that if it takes money to preserve our freedom, we must provide the money.

There are a few favorable signs on the horizon which I should like to mention. We are never going to eliminate all of our foreign spending until our friends in Europe and elsewhere can maintain adequate military forces without help. In Europe today, a new effort is being made to create a federal union of western European countries.

One of France's leading public figures has just left his position as chairman of the European Coal and Steel Community. He is now campaigning for a United States of Europe. This will not be a true political union. It may lead to one some day. But right now its supporters believe they can unite for economic purposes.

A Council of Europe has been established, with Great Britain, Ireland, Denmark, Norway, Sweden, Western Germany, Turkey, Greece, Italy, and France working together. This is still a debating society, but it is designed as the framework for a European political federation at some future date. It would be overly optimistic to think of this as something that can be done in a generation or even two. But it points the way toward relieving Uncle Sam of some of his tremendous financial burdens.

Whatever does this, I approve. We must begin thinking now in terms of helping our people at home. We cannot go on forever assisting nations all over the globe and forgetting our own people. We have been fortunate. Times are good. More Americans are working than ever before. We enjoy a level of prosperity unknown anywhere in world history. But the same world history teaches us that great empires have crumbled under the burden of taxation. We must plan realistically for the future of America by outlining a program to cut taxes before they shatter our great prosperity.

I hope that we may have the wisdom and the foresight to achieve this goal.

TRIBUTE TO THE MAJORITY LEADER

Mr. BIBLE. Mr. President, in this morning's mail I received the usual newsletter from the Independent Editorial Service, edited by Gen. T. A. McInerney. Included in the newsletter this morning was a very fine article on our very distinguished majority leader, the Senator from Texas [Mr. JOHNSON]. I heartily subscribe to everything in the article and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SKILLFUL LYNDON

While the foes of bigotry are about it, they could very well try to wipe out the prejudice in this country against a southerner as President. Some people are making the long-range prediction that in 1960 LYNDON BAINES JOHNSON, of Johnson City, Tex., will be elected President of the United States on the Democratic ticket.

Their reasoning seems good, and is based upon Senator JOHNSON'S record to date and probable dominance in party affairs when 1960 rolls around. There hasn't been anyone around like JOHNSON in many a moon. His skill at handling the divergent elements of his own party, and his polished ease in dealing with the Republicans have attracted the keen attention of such pundits as Arthur Krock, of the New York Times, Walter Lippmann, and Frank Kent. JOHNSON is the only Democrat Kent has spoken kindly of since Cleveland.

JOHNSON is a new-style southern statesman, in that he never has been able to bring himself to the verge of burlesque in filling his role.

He is probably the handsomest man in the Senate, except for GEORGE SMATHERS, of Florida. He dresses like a Wall Street broker, and talks with only a faint Texas accent.

He has never worn his hair long, worn a heavy watchchain, and has never roared in public with stentorian accents. As a stage southern Senator, he would be a flop, and he knows it.

He has reached the ripe age of 45, with nothing in his record but success. He has capacity, energy, and the profound gift of charting his own course and keeping his own counsel.

There has not been a majority leader of the Senate in many years with his good sense, his attractiveness or his skill. When Arthur Krock gets off his lofty perch to re-

mark about a Senator, the man has to have something, and JOHNSON's got it.

Now, assuming that he is a logical candidate in 1960, how can the old and long-lasting opinion that no southerner can be elected President be overcome? To begin with, JOHNSON does not advertise Texasism, which is given the same bad name as fascism in New York and elsewhere in the North.

He is a keen and nervy debater, and can hold his own with the best. He is natural, free-swinging, and able on television. His oratory is of the best. He made Ike look sad at a Gridiron dinner a couple of years ago. His record in the Senate and in the House before that shows a pious regard for the general public interest and the public dollar.

Despite the pressures from special interests in Texas, he never has been known as an oil angel or a cattle savior. He has voted them as he sees them. He has a stock answer when he is importuned to vote against his views. "I can't, I just can't," he says, and the conversation is over.

JOHNSON has enough platform ability to rouse the interest of hosts of voters in the North. He has his ambitions, but does not let them run away with him—outwardly at least.

A sage, self-disciplined man, he has destiny around and in him.

THE MILITARY RESERVE

Mr. NEUBERGER. Mr. President, one of the most controversial issues to come before this Congress is the strengthening of the military Reserve through compulsory membership requirements. How long should the military have a hold on our young men after they have completed several years of active duty is a question on which I have not fully made up my mind. One of the strongest and most compelling arguments I have seen in support of a strong military Reserve was in the form of a letter to me from Mrs. Marguerite Wright, whose husband, Thomas, is an officer with the 929th Field Artillery Battalion of the Army Reserve.

Mrs. Wright, the mother of three small girls, is the capable editorial assistant to former Oregon Governor Charles A. Sprague, the editor and publisher of the Oregon Statesman at Salem. Mrs. Wright was also the first co-ed ever selected to edit the Oregon Daily Emerald, official University of Oregon student newspaper.

All too frequently the important and vital contribution to national defense by the Reserve components of our military forces is overlooked and belittled. The military Reserve stands as a bastion of defense, ready to be called in time of national peril.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD this excellent letter by Mrs. Marguerite Wright, of Salem, Oreg.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SALEM, OREG., *June 19, 1955.*

The Honorable RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: This is Father's Day—a perfect Oregon June day, perfect for a picnic in the patio, or a family outing to the coast or to Santiam Canyon fishing lakes. But our three children are doing without their daddy today; as headquarters battery commander of the 929th Field Artillery Battalion, USAR, he's spending the day on the old firing range at Camp Adair. His Reserve unit is practicing small arms fire preparatory to their annual 2 weeks at the Yakima Firing Center summer camp.

The children and I, and the families of Tom's fellow reservists, will again spend our summer vacations without the fathers.

But I have never heard any of the wives complain. Instead, they take a quiet pride in the fact that their men are citizen-soldiers. Quiet, I guess, because it isn't good form to talk about things like patriotism except on specially designated occasions like the Fourth of July. Sure, you hear a lot about patriotism from the professional flagwavers and from certain politicians. But no one really takes that seriously anyway.

What is serious and what is important is how the average American thinks of his country and responds to its needs—not in pious words but in effective action. I think that the families represented in Tom's Reserve unit are about as typical a group of average Americans as you could wish.

I know them well. They are the kind of people you would want as neighbors. They work hard at their civilian jobs—businessmen, farmers, insurance men, lawyers, craftsmen, policemen, newspapermen. They pay their taxes, go to church, work in service organizations, attend PTA meetings. Most of them have children in school—the company commander has five. They take active interest in civic affairs. They vote.

Most Americans do as much. But these men do more: They give a good deal of time, energy, and talent to their Army Reserve training. They devote many evenings, some weekends, and their vacations to the proposition that, if war comes, the survival of this Nation may depend upon the readiness of a strong, well-trained, well-informed, well-disciplined Reserve.

They don't talk about it much. They kid about it; I've heard a lot of jokes about Korea, Indochina, Formosa. (This helps keep the wives up, sometimes rather breathlessly, on foreign and national affairs.) It's an American characteristic to disguise deep convictions and apprehensions behind a wisecrack and a big laugh.

No laughing matter, though good for some sarcastic chuckles, is the status of the proposed Reserve legislation in Congress. Everyone who is familiar with the problems of recruiting Reserve volunteers knows that a strong Reserve in the present atmosphere of pseudosecurity is impossible without compulsory Reserve requirements.

That is not because the average American is unpatriotic. But Americans have always been slow to express their patriotism in such concrete actions as joining the Armed Forces. It has always been only a small handful of dedicated men who responded voluntarily to the need. George Washington had a terrible time getting enough patriots into uniform. The enlistment troubles of the Union Army are a historical scandal. Even when the Japanese shelled the Pacific Coast, Americans had to be drafted to defend their own shores, so to speak. Once in uniform, these reluctant warriors have given good account of themselves, however, and quite forgotten that they had to be dragged under penalties of the law to perform that duty to country of which so many speak so highly so often.

The constitutional duty to bear arms in the defense of the Nation, right now, thank God, does not mean long separation from home and family and service on the battlefield. All that is required now is adequate training and preparation for future eventualities. In the Reserves that means a few evenings each month, a couple of weeks out of the year.

How very little that is to ask of any citizen of this blessed land.

But it must be asked. Senator, I hope that by your vote you will ask it.

I want my children to be especially proud of their daddy on this Father's Day because he is off on that firing range instead of taking them to the beach. But my pride is tempered by the realization that the efforts of these few volunteer Reservists will be foolishly, tragically wasted unless the entire Reserve program is strengthened by your votes.

Very sincerely yours,
MARGUERITE WRIGHT.
(Mrs. Thomas G. Wright, Jr.).

CAREER APPOINTMENTS IN THE COMPETITIVE CIVIL SERVICE

Mr. JOHNSON of Texas. Mr. President, if morning business is concluded, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which is S. 1849.

The Senate resumed the consideration of the bill (S. 1849) to provide for the grant of career conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

Mr. JOHNSTON of South Carolina. Mr. President, S. 1849 provides that certain indefinite employees who are serving in the competitive civil service would have their status changed from indefinite to permanent. The Civil Service Commission estimates that a maximum of 10,000 employees would be involved.

The only employees involved are those who took a regular civil service examination and were eligible for a regular appointment that would have given them permanent status but who were not so appointed because they were already working for the Government.

The irony of the situation is that if these employees had resigned their positions with the Government and then turned around and accepted a different position with the Government they would now have permanent status. The committee does not believe that a technicality of this kind should serve to deprive these employees of the status to which they are entitled.

Following are two typical examples of the type of cases that would be corrected under S. 1849:

First. John Doe took the regular civil service examination for the position of organization and methods examiner. He passed the examination and was placed on the register for appointment. An agency of the Government sent him an offer of appointment. When he reported, the organization and methods job had been filled by promotion from within. However, the agency offered him an appointment as a statistical clerk. He accepted the offer. Sixty days later he was transferred from the position of statistical clerk to the position for which he was originally recruited. Had he been appointed directly to the latter position, he would now have permanent status. He could have resigned and been reappointed and he would now have permanent status. However, under existing rules of the

Civil Service Commission, he is still an indefinite employee and will not obtain a permanent status.

S. 1849 will give this employee the status to which he is entitled.

Second. Helen Roe worked for the Army as a stenographer. Her appointment was indefinite and was not made from a regular register. She took a prescribed civil service examination and was offered a position with another agency. The agency where she was employed persuaded her to remain in her job. They talked her out of resigning to go with another agency. Had she not stayed with the Army—if she had resigned to accept the job with the other agency—she would now have permanent status. Because she didn't resign and take the other offer she is still indefinite.

S. 1849 would give the employee permanent status.

Mr. President, S. 1849 is not a blanketing-in proposition. It is a measure to correct an inequity. It should be enacted.

The VICE PRESIDENT. The bill is open for amendment.

Mr. CARLSON. Mr. President, as stated by the distinguished Senator from South Carolina [Mr. JOHNSTON], the bill received favorable consideration by the membership of the committee, and is before the Senate for action. I think it is well to point out, however, that the Civil Service Commission does not favor the enactment of the bill. The chairman of the committee has well presented some of the inequities to be corrected by the bill, but I think it is only fair to say that in making these corrections, other inequities may be created.

I should like to quote one or two sentences from the report of the Civil Service Commission in a letter dated June 14, 1955, addressed to the chairman of the committee. I read from the sixth paragraph of the letter in which the effects of the bill are discussed:

> There are many other employees, however, with claims to consideration that may be equal to or greater than those of employees who would be covered by the bill.

I read another sentence from the same paragraph:

> There are, for example, employees who failed to apply for examinations announced by the Commission for indefinite appointment because they were already serving in the same type of job, at the same grade, and under the same type of indefinite appointment made without competitive examination. There was no advantage to such employees to apply at the time, but if they had applied they might later have become eligible for conversion under Executive Order 10577. Some of these employees have undoubtedly had longer service than many employees who would be covered by S. 1849.

Mr. President, I think it is recognized by every member of the committee that there is merit in the bill as reported by the committee. I believe it will correct some inequities, but I did not want the Senate to pass the bill without my stating that it will create other inequities.

I should like to quote further from the letter of the Civil Service Commission with reference to the proper way to take care of the situation:

> In our opinion, the only practicable way to recognize all of the equities of indefinite employees who are not converted under Executive Order 10577 would be to blanket into the competitive service all such indefinite employees without regard to their standing on competitive registers. The Commission is not in favor, however, of conferring competitive status on employees who have not earned it as a result of meeting the competitive requirements of the civil-service laws, rules, and regulations except where sound public policy dictates such action.

Mr. President, I am supporting the bill today, but I did not want it to pass the Senate without directing the attention of the Senate to the fact that there will be some inequities resulting from its passage. It may create some greater inequities. I sincerely hope those employees who are covered herein will benefit if the bill becomes law.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to thank the Senator from Kansas for his statement, and also to invite the attention of the Senate to the fact that the Civil Service Commission converted approximately 400,000 employees without too much difficulty, and the bill involves only 10,000 employees. I realize that the bill will not clear up all the inequities, but it will do a great deal of good.

Mr. President, I should like to read what the Comptroller General of the United States said in reference to the bill:

> We feel that the bill would be beneficial upon the morale of the involved employees, and it would seem that the satisfactory performance of their duties in their respective positions for the period covered by the bill would amply demonstrate their qualifications for permanent appointments.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1849) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That each employee (a) who on the effective date of this act is serving under an indefinite appointment in a position in the competitive civil service other than a position whose salary rate is fixed by the act of July 6, 1945 (59 Stat. 435), as amended, and was so serving on January 23, 1955, and (b) who between June 30, 1950, and January 23, 1955, was certified and within reach for consideration for indefinite appointment from a competitive civil-service register appropriate for filling a position in which he served between such dates shall have his indefinite appointment converted as of the effective date of this act to a career-conditional appointment, or a career appointment, as determined appropriate under the civil-service regulations applied in conversions under section 201 of Executive Order 10577 of November 22, 1954.

SEC. 2. Each individual who between January 23, 1955, and the effective date of this act was separated from the service without cause and who otherwise would have been eligible for conversion under section 1 of this act shall be eligible for reinstatement within 2 years of the effective date of this act, under career-conditional or career appointment in the competitive civil service in a position for which qualified.

SEC. 3. The United States Civil Service Commission is authorized and directed to promulgate regulations for the administration and enforcement of this act.

SEC. 4. This act shall take effect 90 days from the date of enactment.

INCLUSION OF FEDERAL-STATE SERVICE IN RETIREMENT COMPUTATION

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 511, Senate bill 1041.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1041) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Post Office and Civil Service with amendments on page 4, line 13, after the word "this", to strike out "Act." and insert "Act;"; after line 13, to insert:

> (D) such period of service is excluded from credit for the purposes of any annuity received by such officer or employee from a State.

After line 16, to strike out:

> If the annuity computed under this act of any individual entitled to the benefits of this paragraph, when combined with any annuity received by him from a State, exceeds an amount equal to 80 percent of the highest average annual basic salary, pay, or compensation received by such individual during 5 consecutive years of allowable service under this act (including service allowed by this paragraph), the annuity payable under this act shall be so reduced that the aggregate amount received from such annuities shall not exceed an amount equal to 80 percent of such highest average annual basic salary, pay, or compensation.

On page 5, after line 4, to strike out:

> SEC. 2. The first paragraph of section 6 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following: "Such time limitation may also be waived by the Civil Service Commission in the case of an officer or employee who failed to file the required application for retirement within the prescribed time limit because at the date of separation from service the position he was occupying was not considered to be within the purview of this act, but the application in such case must be filed with the Civil Service Commission not later than 6 months after the determination that such position is within the purview of this act, except that in the case of any such person heretofore separated from service, application may be filed within 6 months after the date of the enactment of this sentence."

After line 19, to insert:

> SEC. 2. The annuity of any person who shall have performed service described in the second paragraph of section 5 of the Civil Service Retirement Act of May 29, 1930, as added by this act, and who before the date of enact-

ment of this act shall have been retired on annuity under the provisions of the act of May 22, 1920, as amended, section 8 (a) of the act of June 16, 1933, or the act of May 29, 1930, as amended, shall, upon application filed by such person within 1 year after the date of enactment of this act and compliance with the conditions prescribed by such second paragraph, be adjusted, effective as of the first day of the month following the date of enactment of this act, so that the amount of such annuity will be the same as if such paragraph had been in effect at the time of such person's retirement.

So as to make the bill read:

Be it enacted, etc., That section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by inserting after the first paragraph thereof the following:

"Subject to the conditions contained in this paragraph, there shall be included, in determining for the purposes of this act the aggregate period of service rendered by an officer or employee who is serving in a position within the purview of this act (other than a position described in this paragraph) at the time of his retirement or death, all periods of service rendered by him as an employee of a State, or any instrumentality thereof, exclusively or primarily in the carrying out of—

"(1) the program of a State Rural Rehabilitation Corporation created for the purpose of handling rural relief the funds for which were made available by the Federal Emergency Relief Act of 1933 (48 Stat. 55), the act of February 15, 1934 (48 Stat. 351), and the Emergency Appropriation Act, fiscal year 1935 (48 Stat. 1055), and any laws or parts of laws amendatory of, or supplementary to, such acts;

"(2) the Federal-State cooperative program of agricultural experiment stations research and investigation authorized by the act of March 2, 1887, as amended and supplemented (7 U. S. C., ch. 14);

"(3) the Federal-State cooperative program of vocational education authorized by the act of February 23, 1917, as amended and supplemented (20 U. S. C., ch. 2);

"(4) the Federal-State cooperative program of agricultural extension work authorized by the act of May 8, 1914, as amended and supplemented (7 U. S. C., secs. 341–348);

"(5) the Federal-State cooperative program of forest and watershed protection authorized by section 2 of the act of March 1, 1911 (16 U. S. C., sec. 563), and by the act of June 7, 1924, as amended and supplemented (16 U. S. C., secs. 564–568b);

"(6) the Federal-State cooperative program for the control of plant pests and animal diseases authorized by the provisions of law set forth in chapters 7 and 8 of title 7 and in section 114a of title 21 of the United States Code.

The period of any service specified in this paragraph shall be included in computing length of service for the purposes of this act of any officer or employee only upon compliance with the following conditions:

"(A) the performance of such service is certified, in a form prescribed by the Civil Service Commission, by the head, or by a person designated by the head, of the department, agency, or independent establishment in the executive branch of the Government of the United States which administers the provisions of law authorizing the performance of such service;

"(B) the officer or employee shall have to his credit a total period of not less than 5 years of allowable service under this act, exclusive of service allowed by this paragraph;

"(C) the officer or employee shall have deposited with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31 of each year, to the credit of the civil-service retirement and disability fund a sum equal to the aggregate of the amounts which would have been deducted from his basic salary, pay, or compensation during the period of service claimed under this paragraph if during such period he had been subject to this act;

"(D) such period of service is excluded from credit for the purposes of any annuity received by such officer or employee from a State.

"As used in this paragraph the term 'State' includes Alaska, Hawaii, and Puerto Rico."

SEC. 2. The annuity of any person who shall have performed service described in the second paragraph of section 5 of the Civil Service Retirement Act of May 29, 1930, as added by this act, and who before the date of enactment of this act shall have been retired on annuity under the provisions of the act of May 22, 1920, as amended, section 8 (a) of the act of June 16, 1933, or the act of May 29, 1930, as amended, shall, upon application filed by such person within 1 year after the date of enactment of this act and compliance with the conditions prescribed by such second paragraph, be adjusted, effective as of the first day of the month following the date of enactment of this act, so that the amount of such annuity will be the same as if such paragraph had been in effect at the time of such person's retirement.

Mr. JOHNSTON of South Carolina. Mr. President, S. 1041 amends the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion for retirement purposes of certain periods of Federal-State service not now creditable.

The bill applies to certain present Federal employees who at some time in the past were employed on Federal-State projects financed wholly or in part by the Federal Government. S. 1041 provides that such service shall be credited for retirement purposes provided:

First. The performance of such service is certified by the head of the executive department of the Federal Government which administers the law authorizing the program;

Second. The employee has at least 5 years of Federal service in a position within the purview of the act, other than in a position described in this bill, at the time of his retirement, or death; and

Third. The employee deposits to the credit of the civil-service retirement fund an amount equal to the sum which would have been deducted from his basic compensation had he been subject to the Civil Service Retirement Act plus the requested interest.

This means they will pay the amount of the principal plus about 4 percent interest since the date the amount was due. If they decide to withdraw from the retirement fund, they will be repaid the amount paid in plus 3 percent—a difference of 1 percent.

The bill relates to the following services and employees:

Extension Service	2,500
Soil conservation	1,400
Farmers' Home Administration	600
Agricultural research	450
Other agricultural programs	150
Total	5,100

Hearings developed the fact that employees in these programs work side by side doing the same kind of work, yet because of a technicality as to their different types of appointment some receive credit for retirement purposes and others do not. S. 1041 will remove the inequity that now exists by making all such service potentially creditable for retirement. This right must be exercise; it is not compulsory.

Mr. CARLSON. Mr. President, the bill under consideration, S. 1041, which was reported favorably by the committee, is similar to S. 496 which I introduced on January 18, 1955. It seems to me that the persons who are covered by the bill are fairly entitled to an opportunity to receive the benefits of the retirement system, as has been stated by the chairman of the committee. I urge that the Senate approve the proposed legislation.

The individuals concerned are persons who served for many years in various capacities in State governments, but have been unable to take advantage of their years of service under the agricultural and other joint programs. Therefore, I not only endorse the bill, but I urge its passage by the Senate.

Mr. STENNIS. Mr. President, to my mind, the bill represents the final consummation, in a way, of long delayed justice to a number of agricultural workers who many years ago were, in effect, on the rolls of the Department of Agriculture. They were rendering their services by doing pioneer work, so to speak, back in the socalled lean days of the varied agricultural programs. Through oversight and misunderstanding, or perhaps neglect on the part of those in authority, the names of the persons involved were not carried on the civil-service rolls in such a way as to make them eligible for certain benefits which accrued to all the other workers, some of whom even sat at desks beside the ones who will be cared for by the bill.

I know something about the subject matter of the bill because many of those whom it affects are persons in my own State, whom I have known personally for a number of years. I knew them when they were doing the pioneer work for small salaries and were pulling against the grain in establishing the programs. Many of them did the real groundwork on which the vast agricultural programs of today were built and are resting.

I think it would be a tragic miscarriage of elemental justice for Congress, not as a matter of favoritism, but as a matter of fundamental right, to fail to include these persons, who worked in the Federal-State service, and to make them eligible for the benefits after they have paid, with interest, the full amount which is due.

I do not want this to be done at the sacrifice of the soundness of the plan or program, but I am fully convinced that the elemental and fundamental principles of justice and right will be neglected and carelessly cast aside unless a bill of this kind shall be passed.

I congratulate the committee for having been able to prepare a bill, not on a generous basis at all, but on a fair basis of right and justice.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CARLSON. I wish to compliment the junior Senator from Mississippi on his statement about the merits of including these persons, who have labored long and hard in many State agencies. As he has well said, this is not something which we are giving to them, because they will have to contribute the back costs in order to come under the program. But, in my opinion, the bill will provide the same entitlement they should have had years ago. Under these conditions, I think the bill is just and fair.

Mr. STENNIS. Mr. President, as I understand, the bill would merely make it possible to correct an unfortunate situation which developed in the early days, when records were not kept as they are now. It would accord justice to the worker at desk B, who sat alongside an employee at desk A, who was covered. Both were doing virtually the same type of work, but the worker at desk A had previously received all the benefits of the program, while the worker at desk B has been excluded.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to commend the Senator from Mississippi and the Senator from Kansas for their remarks.

Mr. STENNIS. I appreciate the interest of the Senator from South Carolina in the matter. What I have said, in thumbnail sketch, relates to the justice of the case, as I see it.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

READJUSTMENT OF POSTAL CLASSIFICATION ON EDUCATIONAL AND CULTURAL MATERIALS

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 521, Senate bill 1292.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1292) to readjust postal classification on educational and cultural materials.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with amendments.

Mr. CARLSON. Mr. President, I wonder if the distinguished chairman of the committee would be willing to have a quorum call now. I believe some Senators feel they should be advised when the bill is under consideration. I have no personal desire for a quorum call, but I think it might be well to have one for the benefit of other Senators. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PAYNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the committee amendments.

The first amendment of the Committee on Post Office and Civil Service was, on page 2, line 1, after the word "Congress", to insert "except that the rates now or hereafter prescribed for third- or fourth-class matter shall apply in every case where such rate is lower than the rate prescribed in this subsection for matter under this classification."

The amendment was agreed to.

The next amendment was, on page 2, in line 9, after the numeral "(2)", to insert "bound volumes of academic theses in typewritten or other duplicated form; (3)."

The amendment was agreed to.

The next amendment was, on page 2, in line 12, after the word "theaters", to strike out "(3)" and insert "(4)."

The amendment was agreed to.

The next amendment was, on page 2, in line 13, after the word "form", to strike out "(4)" and insert "(5)."

The amendment was agreed to.

The next amendment was, on page 2, in line 18, after the word "mark", to strike out "(5)" and insert "(6)."

The amendment was agreed to.

The next amendment was, on page 2, in line 19, after the word "music", to insert a semicolon and "(7) unbound books, texts, or lessons in looseleaf form, when mailed to or from schools, colleges, universities, or public libraries; (8) recordings."

The amendment was agreed to.

The next amendment was, on page 3, line 10, after the word "Congress", to insert "except that the rates now or hereafter prescribed for third- or fourth-class matter shall apply in every case where such rate is lower than the rate prescribed in this subsection for matter under this classification."

The amendment was agreed to.

The next amendment was, on page 4, after line 18, to insert:

SEC. 3. (a) The last paragraph of section 207 (b) of the act of February 28, 1925, as amended (45 Stat. 942; 39 U. S. C. 247), is amended by inserting before the word "greater" the following: "more than 15 percent."

(b) The paragraph under the heading "General Provisions" under the appropriations for the Post Office Department contained in chapter IV of the Supplemental Appropriation Act, 1951 (64 Stat. 1050; 31 U. S. C. 695), is amended by striking out "the receipt of revenue from fourth-class mail service sufficient to pay the cost of such service" and inserting "that the cost of fourth-class mail service will not exceed by more than 15 percent the revenues therefrom."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. JOHNSTON of South Carolina. Mr. President, there is, at the desk, an amendment to the committee amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The LEGISLATIVE CLERK. In the committee amendment, on page 4, it is proposed to strike out line 19 to 22, inclusive.

On page 4, line 23, it is proposed to strike out "(b)" and insert in lieu thereof "Sec. 3."

On page 5, line 5, it is proposed to strike out "15 per centum" and insert in lieu thereof "10 per centum."

Mr. JOHNSTON of South Carolina. Mr. President, S. 1292, as originally introduced, is noncontroversial, and has the wholehearted endorsement of thousands of people who run our colleges, libraries, and other public institutions.

It would accomplish the following:

First. Expand the categories of materials on which regular book rate is applicable to include scholarly bibliographies, printed music, whether in bound or sheet form, printed objective test materials used by or in behalf of educational institutions, and manuscripts for books, periodical articles, and music.

Second. Revise the special book rate provision (a) to limit it to the loan or exchange of the specified material between schools, colleges, universities, or public libraries, and religious, educational, scientific, and other enumerated nonprofit organizations, or between them and their members, readers, and borrowers; (b) to specify the types of material hereunder as book, scholarly bibliography, or reading matter with incidental blank spaces for student notes, printed music, whether in bound or sheet form, bound volumes of typewritten or duplicated, or photographic form or in the form of unpublished manuscripts; and (c) to make this an unzoned rate charge by omitting the limitation on this rate contained in the law to mailings not beyond the third zone, and also to omit the alternative usage of third- or fourth-class rates where these are lower.

Third. Limit shipments of 16-millimeter films and other similar types of material at the special book rate to packages not in excess of 70 pounds.

In each instance it is explicitly stated that these rates shall apply until otherwise provided by Congress.

Section 2 of the bill would place Congress on record as endorsing a governmental policy of applying the optional provision of the Universal Postal Convention of 1952 which allows a 50-percent reduction in postage on printed matter in the international mails to the export through private, commercial, and eleemosynary channels of American publications, and literary, artistic, and scholarly works.

Several minor technical corrections proposed by the Post Office Department were adopted by the committee.

Mr. President, in addition to these changes adopted to Senate bill 1292, as introduced, the committee unanimously agreed to insert a new section 3.

Unfortunately, the intent of this language has been misinterpreted by the officials of the Railway Express Agency.

Because of the adoption of a rider to an appropriation bill in 1950, whenever the cost to the Post Office Department for handling parcel-post mail exceeds the revenue by any amount, the Postmaster General must immediately file a petition with the Interstate Commerce Commission, in an effort to increase the rates of parcel post sufficiently to balance the budget. The parcel-post rate increases have been in excess of 100 percent during the last few years, and for the past 3 years the revenue has been equal to the cost.

However, many of the Members of the Senate will remember that a bill which was passed by Congress just a few days ago, increased the salaries of postal employees. This will, of course, add additional cost to the parcel post. How much it will add cannot be determined now, because included in the Postal Pay Act was a provision giving the Postmaster General the authority to reclassify the salaries of all postal employees. He has been given a total of 180 days in which to carry out this reclassification plan. In other words, the Postmaster General has no way of knowing what the additional cost will be, until sometime next year. The committee unanimously felt that the Postmaster General ought to have some discretion and some time in which to determine the cost, before he has to file with the Interstate Commerce Commission his petition to gain increased parcel-post rates. Section 3 was added to the bill with the clear intention of giving the Postmaster General this discretion. It merely provides that the Postmaster General is not required to file his petition until the cost exceeds the revenue by at least 15 percent.

Mr. President, I am sure that all of us have been bombarded with the organized campaign of the Railway Express Agency. I am sorry this has occurred. I have submitted my amendment to the committee amendment in section 3, in order to make it absolutely clear that the committee does not desire to subsidize the parcel-post mail. My amendment to the committee amendment will strike out the reference in section 3 to the act of 1925, which in some quarters has been interpreted as making the subsidy mandatory. In addition, it will change the 15 percent to 10 percent. That amendment to the committee amendment has already been adopted, I believe.

Mr. CURTIS. Mr. President, will the Senator from South Carolina yield to me?

The PRESIDING OFFICER (Mr. CLEMENTS in the chair). Does the Senator from South Carolina yield to the Senator from Nebraska?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CURTIS. How much revenue is received, on an annual basis, from the parcel post?

Mr. JOHNSTON of South Carolina. Somewhere in the neighborhood of between $490 million and $500 million.

Mr. CURTIS. So the 10 percent could equal $50 million, could it not?

Mr. JOHNSTON of South Carolina. It could, if the Postmaster General failed to exercise his function. He has a right to act, but that is discretionary with the Postmaster General.

Mr. CURTIS. Why will he need 10 percent? If he must have this discretion, in order not to have to go to the Interstate Commerce Commission until he knows what the costs will be, why not hold down the percentage to 5? It seems to me that $50 million involves quite a little discretionary authority.

Mr. JOHNSTON of South Carolina. In the hearings to determine the cost, sometimes it is very difficult to say exactly what the cost will be and how much shall be assigned to the first, second, third, and fourth classes. It would not be treating any class properly, to make it compulsory for one class to carry the load, when the Postmaster General does not know how exactly what the cost will be. It is all a matter of making estimates; and we thought 10 percent would be within reason.

Mr. CURTIS. Earlier the Senator from South Carolina said that one of the reasons for section 3 was the increase in postal pay; is that correct?

Mr. JOHNSTON of South Carolina. No, I think the Senator from Nebraska misunderstood me. That only enters into the picture, and probably will in the future, when the estimates are being made.

The estimates cannot be made until it is known what the reclassification will be. When the officials decide on the reclassification, then the assistants of the Postmaster General can make an estimate of the cost. The salary of every mail handler and mail clerk will be increased, and all those increases must be included in the total cost.

Mr. CURTIS. Is it the legislative intent that the Postmaster General shall continue to operate the parcel post without a deficit?

Mr. JOHNSTON of South Carolina. That is exactly correct.

I should like to say that I have been in touch with the Post Office Department, and this morning I have been informed that the Post Office Department is wholeheartedly in agreement with the amendment, and desires to support it.

Mr. CURTIS. With which amendment?

Mr. JOHNSTON of South Carolina. With the amendment I have submitted to the committee amendment.

Mr. CURTIS. Does the Senator from South Carolina refer to the 10-percent amendment?

Mr. JOHNSTON of South Carolina. Yes; the 10-percent amendment.

Mr. CURTIS. The Senator did not inquire whether a lesser percentage would be sufficient?

Mr. JOHNSTON of South Carolina. No. We have only the statement of the Department with respect to this amendment.

Mr. CURTIS. How much loss in revenue to the Post Office Department is involved in sections 1 and 2?

Mr. JOHNSTON of South Carolina. It is difficult to tell how much revenue will come in. This provision may cause more people to do business in this field than heretofore. If that should prove to be the case, the loss will be reduced somewhat, but it is estimated to be somewhere in the neighborhood of $500,000.

Mr. CURTIS. The attitude of the Postmaster General on that subject was that sections 1 and 2 were satisfactory if we provided other revenue. Is that correct?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. CURTIS. And no other revenue is provided.

Mr. JOHNSTON of South Carolina. No other revenue is provided. When the revenue bill comes over from the House, we can amend it.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. I think the chairman has offered a very satisfactory amendment. I think it would help the situation. As a member of the committee who favored allowing certain leeway, and helped to write in the 15 percent provision, I think 10 percent is an improvement. With the 10 percent leeway and striking subsection (a) we in no way prevent the Postmaster General from going before the Interstate Commerce Commission whenever there is a deficit.

Mr. JOHNSTON of South Carolina. That is true.

Mr. CARLSON. It may be 1 percent, 2 percent, or less than 10 percent, but I think it is important at this time that there be some leeway. I cannot imagine a situation which could change so rapidly as that with respect to parcel post costs. As the distinguished chairman has said, they are affected by the postal pay increase. They could easily be affected by changes in transportation rates by various agencies which carry parcel post. These factors all enter into the problem. Some time is required to solve some of these problems. While the difference might be only 1 or 2 percent, under existing law the Postmaster General would be required to go before the Interstate Commerce Commission and present evidence. That procedure is very costly. In all frankness, I think the Senator has offered a very fair proposal. I am glad the chairman has made the figure 10 percent. I think it is more satisfactory than our first figure of 15 percent.

My personal feeling was that the Postmaster General is entitled to some leeway, just as any other businessman would be in the operation of a business. I hope the Senate will approve this provision. I know there is opposition to it. There has been considerable opposition. I think much of the opposition is based upon unfounded fears. Nevertheless, it exists, and every Member of the Senate has been flooded with telegrams.

As ranking member of the Committee on Post Office and Civil Service, I think this amendment should be approved by the Senate.

Mr. JOHNSTON of South Carolina. I thank the Senator from Kansas for his remarks.

The amendment which I have offered to the committee amendment would give the Postmaster General sufficient time to determine his full cost as the result of the enactment of the postal pay bill

before he is required to file his petition with the Interstate Commerce Commission for increased parcel-post rates. Should this amendment be enacted there is absolutely nothing that would prohibit the Postmaster General from filing his petition immediately, even before the cost exceeds the revenue by 10 percent.

I hope this amendment will be adopted, because in my opinion it is absolutely necessary to enable the Postmaster General to administer properly the laws affecting parcel-post mail.

Mr. CARLSON. Mr. President, will the Senator yield at that point?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. I think the last statement the Senator has made is most important. It is not the intention of the committee that the Postmaster General shall be prevented from going before the Interstate Commerce Commission when there is a deficit in parcel-post revenue. He should do it. At the same time, this amendment would give him a little time to do some studying with regard to costs and rates. Also he would be allowed a little leeway in the operation of this big business which, as the Senator has stated, is probably a half billion dollar business.

Mr. JOHNSTON of South Carolina. The Senator is entirely correct.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. ERVIN. I strongly favor the provisions of the original bill to readjust the postal classification on educational and cultural materials. However, I am not satisfied as to the advisability of making any further changes in the law; and while I support those provisions of the bill, I should like to have the RECORD show that I am opposed to the proposed committee amendment inserting a new section 3, and also to the amendment to the committee amendment offered by the chairman of the committee.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. NEUBERGER. I should like to say to the distinguished chairman of the committee that, as a person who has made his living as an author, I have received letters about certain portions of the bill from writers, authors, journalists, poets, and composers all over the United States. I am sure that I speak for thousands of them when I thank the chairman of the Committee on Post Office and Civil Service for the provisions of the bill which would make it easier and less expensive for people who have creative talent to send their manuscripts, musical scores, and other original material to publishers, editors, and others.

It has been the policy of this great Nation for many decades to encourage creative work in the arts, because often such works express the culture of a country, and contribute to its development and progress.

I think the chairman of the committee and the other members of the committee—among whom I am proud to be numbered—have made a contribution to the welfare of those engaged in the creative arts, and on behalf of them, I should like to thank the distinguished chairman for the increased latitude, increased privileges, and lower postal rates accorded people doing creative work in this country, in Senate bill 1292.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. FREAR. I am very sorry to have missed the earlier discussion with respect to Senate bill 1292.

I have a very great interest in section 3 of the bill. I should like to ask the chairman of the Committee on Post Office and Civil Service a question or two.

Mr. JOHNSTON of South Carolina. I shall be delighted to try to answer the Senator's questions.

Mr. FREAR. First, is this proposal a violation of the principle laid down by Congress when it established parcel post rates in the beginning, to insure that the cost of carrying parcel post would be borne by those using the parcel post service—in other words, the principle that parcel post should pay its own way?

Mr. JOHNSTON of South Carolina. The provision which we are proposing to amend at the present time was placed in an appropriation bill in 1950. Up until that time the determination was left with the Postmaster General. I do not know whether or not the Senator realizes that we propose to amend the bill in certain particulars. The amendment which has been offered provides that if parcel post revenues fall below the level where parcel post pays for itself, the Postmaster General may petition the Interstate Commerce Commission for an increase in the rates. A leeway of 10 percent is proposed in the pending amendment.

In an appropriation bill in 1950, a section was inserted which provided that the Postmaster General must petition the Interstate Commerce Commission whenever parcel post revenues fell below the level at which they paid for the cost of the service. The pending amendment allows a 10 percent leeway.

At the present time the Postmaster General could not know, for 180 days, or until the reclassification is completed, the cost of carrying each of the various classifications. The Postmaster General has approved the amendment which we offer.

Mr. FREAR. Do I correctly understand the distinguished chairman to say that the amendment provides that the Postmaster General may petition for an increase if the revenue from parcel post is between zero and 10 percent under the cost? Is it within the discretion of the Postmaster General?

Mr. JOHNSTON of South Carolina. Between zero and 10 percent, it is discretionary with the Postmaster General. When the difference is more than 10 percent, he must petition. It is mandatory.

Mr. FREAR. I understood the chairman to say that he must petition the Interstate Commerce Commission.

Mr. JOHNSTON of South Carolina. Yes.

Mr. FREAR. Can the Postmaster General increase parcel-post rates without authority of the Interstate Commerce Commission?

Mr. JOHNSTON of South Carolina. He cannot do it without going to the ICC. He petitions the ICC, and it has been almost unwritten law that when he petitions the ICC, it follows his recommendations.

Mr. FREAR. To the extent of the recommendation of the Postmaster General, or to their own way of thinking? I should like to ask one other question of the Senator from South Carolina. As I understand, if the revenue goes down to 8 percent, for example, the Postmaster General may go to the ICC with his request under the "may" clause, to which the Senator has referred. If the revenue goes down further to 11 percent or 10 percent, he must go to the ICC. Is that correct?

Mr. JOHNSTON of South Carolina. There is no law at the present time making it compulsory upon the ICC to increase the rate. However, as I said, when the Postmaster General petitions the ICC it has been almost unwritten law that the ICC goes along with the Postmaster General.

Mr. FREAR. The only discretion the Postmaster General has under the proposed amendment is that when the charges fail to come within 10 percent of meeting the actual cost, the Postmaster General may petition the ICC for an increase in the parcel-post rates. Is that correct?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. FREAR. But if the deficit goes to 10 percent or above, he must petition the ICC. Is that correct?

Mr. JOHNSTON of South Carolina. He must petition the ICC.

Mr. FREAR. Under what section of the bill must he do that? Is that mandatory provision contained in the present law? Is that provision already in existence?

Mr. JOHNSTON of South Carolina. That provision was written into the 1950 appropriation law. That is the law at the present time.

Mr. FREAR. Even though the provision was written into an appropriation bill, it still has the effect of being a separate statute today. Is that correct? Is that the situation, even though the provision was added as a rider to an appropriation bill?

Mr. JOHNSTON of South Carolina. It is permanent legislation.

Mr. FREAR. The Postmaster General must petition the ICC. Is that correct?

Mr. JOHNSTON of South Carolina. He must.

Mr. FREAR. I do not like to continue my questioning of the chairman, but I wish to be thoroughly satisfied that the discretion of the Postmaster General extends only from zero to 10 percent. Is that correct?

Mr. JOHNSTON of South Carolina. That is correct.

Mr. FREAR. When the deficit gets above 10 percent he must petition the ICC. Is that correct?

Mr. JOHNSTON of South Carolina. He must. That is the law today.

Mr. FREAR. I thank the chairman.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina [Mr. JOHNSTON] to the committee amendment beginning on page 4.

Mr. BARRETT. Mr. President, I wish to take this opportunity to compliment the committee for reporting a very excellent bill. I am very much in favor of the provisions of the bill, except the section the Senators have been discussing. I should like to address a question to the distinguished chairman of the committee, the Senator from South Carolina [Mr. JOHNSTON]. I should like to ask if the record for the last year shows that the Post Office Department has been breaking about even on the parcel-post rates.

Mr. JOHNSTON of South Carolina. I believe the Department has been breaking about even. That is the report we have.

Mr. BARRETT. What is the reason that we need an amendment of this character?

Mr. JOHNSTON of South Carolina. The reason for the proposed amendment is that a few days ago Congress passed a pay bill which increased the rate of pay for postal employees. Included in that bill was a reclassification section. The reclassification may not be completed for 180 days. The amendment gives the Postmaster General some latitude in that regard.

Mr. BARRETT. As I understand, the committee will offer an amendment reducing the percentage. Is my understanding correct?

Mr. JOHNSTON of South Carolina. The pending amendment to the committee amendment would cut it down from 15 percent to 10 percent.

Mr. BARRETT. I thank the Senator. I may say, however, that I was hopeful that the committee would see fit to withdraw the amendment.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. FREAR. Were any hearings held on this subject?

Mr. JOHNSTON of South Carolina. We held extensive hearings, and the committee reported the bill unanimously, or almost unanimously. I inquire of the Senator from Kansas [Mr. CARLSON] whether the vote in commitee was unanimous. I do not recall, but if it was not unanimous, it was almost so.

Mr. CARLSON. I assume it was unanimous.

Mr. JOHNSTON of South Carolina. I do not remember any opposition to the bill.

Mr. FREAR. Did the chairman of the committee say earlier that the Postmaster General favored the pending amendment?

Mr. JOHNSTON of South Carolina. He favored this particular amendment.

Mr. FREAR. Amending the 15-percent provision?

Mr. JOHNSTON of South Carolina. No; the 10-percent provision.

Mr. FREAR. What was his position on the 15-percent provision?

Mr. JOHNSTON of South Carolina. He was opposed to the original amendment, because it amended the 1925 act. We eliminated that entirely in the pending amendment to the amendment.

Mr. FREAR. I am not familiar with the 1925 act. I do not know what was eliminated.

Mr. JOHNSTON of South Carolina. The Postmaster General thought our original amendment made it mandatory for him to wait until the revenue derived showed a loss of 15 percent.

Mr. FREAR. I am sorry if I am repetitious, but, as I understand, the pending amendment gives to the Postmaster General discretion to go to the ICC to request an increase in rates when the cost of handling the articles exceeds the revenue from the postal rate charges by from zero to 10 percent.

Mr. JOHNSTON of South Carolina. That is correct.

Mr. FREAR. But when it reaches 10 percent, or goes above, he is required to go to the ICC and request additional rates. Is that correct?

Mr. JOHNSTON of South Carolina. That is correct. That is the way the amendment reads. There was some question under the original bill. That was the situation before the pending amendment to the amendment was offered.

Mr. FREAR. The chairman has already stated that the Postmaster General approves of the amendment now pending before the Senate. Is that correct?

Mr. JOHNSTON of South Carolina. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON] to the committee amendment, beginning at page 4.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

Mr. CARLSON. Mr. President, there has been very little discussion of the pending bill, with the exception of section 3. The Senator from Oregon [Mr. NEUBERGER] made a very excellent statement. We held extended hearings on the question of expanding our postal system so as to encourage the dissemination of educational and cultural materials through the postal system. It is a very important piece of legislation, and I did not want it to be passed with all the debate revolving around section 3, which deals with giving the Postmaster General leeway on the question of fixing parcel post rates. Many splendid cultural organizations appeared before our committee through their representatives. The bill, if enacted, will be very beneficial, I am sure.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That sections 204 (d) and (e) of the Postal Rate Revision and Federal Employees Salary Act of 1948 (39 U. S. C. sec. 292a (d) and (e)), are amended to read as follows:

"SEC. 204. (d) the following materials when in parcels not exceeding 70 pounds in weight may be sent at the postage rate of 8 cents for the first pound or fraction thereof and 4 cents for each additional pound or fraction thereof, and this rate shall continue until otherwise provided by the Congress, except that the rates now or hereafter prescribed for third- or fourth-class matter shall apply in every case where such rate is lower than the rate prescribed in this subsection for matter under this classification: (1) Books permanently bound for preservation consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for students' notations and containing no advertising matter other than incidental announcements of books; (2) bound volumes of academic theses in typewritten or other duplicated form; (3) 16-millimeter films and 16-millimeter film catalogs except when sent to commercial theaters; (4) printed music whether in bound form or in sheet form; (5) printed objective test materials and accessories thereto used by or in behalf of educational institutions in the testing of ability, aptitude, achievement, interests, and other mental and personal qualities with or without answers, test scores, or identifying information recorded thereon in writing or by mark; (6) manuscripts for books, periodical articles, and music; (7) unbound books, texts, or lessons in loose-leaf form, when mailed to or from schools, colleges, universities, or public libraries; (8) recordings.

"SEC. 204. (e) (1) The following materials when in parcels not exceeding 70 pounds in weight when loaned or exchanged between (A) schools, colleges, universities, or public libraries, and (B) religious, educational, scientific, philanthropic, agricultural, labor, veterans' or fraternal organizations or associations not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, or between such organizations and their members or readers or borrowers, shall be charged with postage at the rate of 4 cents for the first pound or fraction thereof and 1 cent for each additional pound or fraction thereof, and this rate shall continue until otherwise provided by the Congress, except that the rates now or hereafter prescribed for third- or fourth-class matter shall apply in every case where such rate is lower than the rate prescribed in this subsection for matter under this classification: (a) Books consisting wholly of reading matter or scholarly bibliography or reading matter with incidental blank spaces for students' notations and containing no advertising matter other than incidental announcements of books; (b) printed music whether in bound form or in sheet form; (c) bound volumes of academic theses in typewritten or other duplicated form and bound volumes of periodicals; and (d) other library materials in printed, duplicated, or photographic form or in the form of unpublished manuscripts.

"(2) The rate provided in paragraph (1) for books may apply to 16-millimeter films, filmstrips, projected transparencies and slides, microfilms, sound recordings, and catalogs of such materials when sent in parcels not exceeding 70 pounds in weight to or from (A) schools, colleges, universities, or public libraries, and (B) religious, educational, scientific, philanthropic, agricultural,

labor, veterans' or fraternal organizations or associations not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual."

SEC. 2. It is the sense of the Congress that every reasonable encouragement should be given as a matter of Government policy to the export through private commercial and eleemosynary channels of American publications and literary, artistic, and scholarly works and therefore the United States Government should take advantage of the optional provision of the Universal Postal Convention of 1952 to reduce by 50 percent the regular printed matter rate in the international mails for newspapers, periodicals, books, pamphlets, music, and maps as other leading countries of the world have done.

SEC. 3. The paragraph under the heading "General Provisions" under the appropriations for the Post Office Department contained in chapter IV of the Supplemental Appropriation Act, 1951 (64 Stat. 1050; 31 U. S. C. 695), is amended by striking out "the receipt of revenue from fourth-class mail service sufficient to pay the cost of such service" and inserting "that the cost of fourth-class mail service will not exceed by more than 10 percent the revenues therefrom."

APPOINTMENT OF HEADS OF REGIONAL AND DISTRICT OFFICES OF THE POST OFFICE DEPARTMENT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 579, S. 63.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill, S. 63, to provide for the appointment of the heads of regional and district offices of the Post Office Department by the President by and with the advice and consent of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. CARLSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I understand that the junior Senator from California has a brief statement to make.

UNITED STATES INFORMATION AGENCY

Mr. KUCHEL. Mr. President, the Congress will shortly have before it the question of whether to accept during the coming year the recommendations of the President of the United States with respect to the appropriation for the United States Information Agency. I cannot say that I am qualified to speak as an expert in the field of constructive American propaganda for public relations before the world, but I think I can say, on the basis of my own study and the opportunities which have been presented to me to talk with people who know and in whom I have faith, that over the years the United States Information Agency has done a very great service for the cause of free America and the free world. It has made real progress in making friends for the United States all around the globe.

Mr. President, a national magazine some time ago indicated that the Union of Soviet Socialist Republics appropriates in excess of $3 billion a year for propaganda purposes exclusively. President Eisenhower recommended for the next fiscal year a budget of $88.5 million for the purposes of the United States Information Agency, a modest request when compared to the Communist program of propaganda.

I regret that the House of Representatives saw fit to cut the Presidential request by $10 million. I appeared before the appropriate subcommittee of the Senate Committee on Appropriations and urged, speaking for myself alone, the restoration by that committee of the deletion made by the House. I was tremendously gratified that the Senate subcommittee, and then the entire Committee on Appropriations, saw fit to restore the amount which the House reduced and to approve the rather modest appropriation which the President recommended.

I very much hope that the conferees will submit to the Senate a conference report which will include the appropriation the Senate Committee on Appropriations has approved; that is to say, the amount recommended by President Eisenhower.

Mr. President, a few days ago, in a distinguished newspaper in my State, the Sacramento Bee, there appeared an excellent editorial strongly favoring action by the Congress along the lines which I have indicated. I wish to insert it in the RECORD. I desire to do it at this time because I think it would be of advantage to the conferees of both the House and the Senate to read this succinct and persuasive statement of why this country needs to continue putting its best foot forward in the field of public relations by continuing a program which, in my judgment, has done excellent service for the cause of the free Government of the United States. I, therefore, ask unanimous consent that the text of the editorial to which I have referred be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ONLY A FOOLISH NATION BLACKENS ITS OWN EYE

President Dwight D. Eisenhower recommended to Congress an appropriation of $22 million to finance the farflung activities of the United States Information Agency during the next fiscal year. The House of Representatives arbitrarily reduced this amount by $10 million in spite of the fact such projects as the Library program the Agency is carrying on in West Germany are doing a magnificent job in winning friends for America.

The full effects of this piece of legislative iconoclasm are presented graphically in a detailed analysis by Neal Stanford of the Washington, D. C., staff of the Christian Science Monitor. What he says reveals the House action as truly incredible.

Here are some of the things which will happen next year if the Senate goes along with the slash in the appropriation:

The USIA program will have to be eliminated in all of Africa with the single exception of Egypt.

It will come to an end too in Sweden, Peru, and Hong Kong.

Drastic retrenchment will be necessary in West Germany, Finland, and Australia.

Plans to extend the program to Israel, Formosa, and Korea will go by the board.

There will be no more leaders or specialists coming to the United States from Turkey, Paraguay, or Australia. There will be no more visiting teachers from Laos, Haiti, Afghanistan, and a dozen other countries.

The student-exchange program will have to be drastically curtailed.

In a recent issue of Newsweek was this paragraph:

"The Communist world spends about $3-400,000,000 a year on propaganda to keep its own subjects in line and to convert others to its cause."

In that connection it is relevant to note that David Sarnoff, chairman of the board of the Radio Corporation of America, proposed recently to President Eisenhower that the United States spend the equivalent of 5 to 7½ percent of its military budget on psychological warfare.

That would amount to from $2,200,000,000 to $3,200,000,000 a year. And the House cuts $10 million from the proposed $22 million budget for an agency which already is doing yoeman service on the frontline of this same psychological warfare. It makes as much sense as a man boasting of how he has blackened his own eye.

The move by Senator THOMAS H. KUCHEL, of California, to get the full amount restored in the Senate, if successful, will save Uncle Sam from foolishly doing that very thing to himself.

CONSTITUTIONAL CONVENTION IN ALASKA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 269, Senate bill 1633.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The Senate has not yet disposed of Senate bill 63, which was taken up on motion a few moments ago.

Mr. JOHNSON of Texas. The majority leader is aware of that fact. I will say, in explanation, that Senators who care to discuss the bill are not available at the moment, and after consultation with the minority it has been agreed that the Senate will consider other measures, and at some appropriate time the Senate will resume consideration of Senate bill 63.

The PRESIDING OFFICER. The bill which the Senator from Texas has moved to consider will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1633) relating to a constitutional convention in Alaska.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the bill has been reported by the Committee on Interior and Insular Affairs. It has been cleared by the distinguished minority leader and the Republican policy group, as well as by the Democratic leadership and the Democratic Policy Committee.

The bill merely permits members of the Legislature of Alaska to be candidates for election and to serve as delegates to a constitutional convention. Alaskan legislators, I understand, are now prohibited by law from serving as such delegates.

So far as I am aware, there is no opposition to the bill. The committee carefully considered it, and it has been reported. As I have stated, both the minority and majority leaders have agreed that it be considered at this time.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1633) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 11 of the act entitled "An act to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes," approved August 24, 1912 (48 U. S. C., sec. 82), any member of the legislature may be a candidate for election as a delegate in the formation of a constitutional convention and if elected may serve at such convention.

Mr. JACKSON subsequently said: Mr. President, earlier in the day the Senate passed S. 1633. I ask unanimous consent that a statement I prepared on the bill be printed at the appropriate place in the RECORD in connection with the consideration of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JACKSON

The bill S. 1633 would permit members of the territorial legislature of Alaska to become candidates for election as delegates to a constitutional convention which will be held under territorial law next fall.

It is identical in philosophy and spirit with a bill enacted in the 81st Congress by which members of the territorial legislature of Hawaii were authorized to become candidates for election to the constitutional convention held under the laws of Hawaii in 1950.

As in the case of Hawaii, this Alaska bill is necessary because of a provision in the 1912 Organic Act for Alaska. This provision reads:

"No member of the legislature shall hold or be appointed to any office which has been created, or the salary or emoluments of which have been increased, while he was a member, during the term for which he was elected and for 1 year after the expiration of such term."

I am certain the Members of the Senate realize the advantage of permitting the popularly elected legislators, who have had direct experience and direct responsibility in connection with the governing of the Territory, to serve as members of the convention which will draft a proposed basic constitution for the government of Alaska.

The precedent both for the drafting of a constitutional convention and for having territorial legislators serve as delegates is one of long standing in our American system. In a number of instances, our western Territories held constitutional conventions prior to any enabling legislation by Congress, and members of the territorial legislatures were permitted to serve as delegates to the convention.

The Members of the Senate will note that the closing date for filing was May 10. Obviously, that date is passed. I am informed by the Delegate from Alaska that a number of legislators filed as candidates for election to the convention, but that a Federal judge in the Territory has ruled they could not serve, if elected, because of the prohibition contained in the organic act which I have just read. Therefore, if the Territory is to have the opportunity to take advantage of the experiences of these men who have been serving as members of the legislature, S. 1633 must be enacted.

I should perhaps state the obvious for the sake of the RECORD. The passage of S. 1633 would not in any way constitute admission of Alaska to statehood. One need look only at the example of Hawaii. In Hawaii a constitutional convention was held, and a constitution drafted, a full 5 years ago, but Hawaii is today no nearer to statehood than is Alaska.

The members of the Senate Committee on Interior and Insular Affairs unanimously urge enactment of S. 1633.

WILDLIFE-RESTORATION PROJECTS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 643, Senate bill 756.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 756) to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 756), which had been reported from the Committee on Interstate and Foreign Commerce with an amendment to strike out all after the enacting clause and insert:

That there is hereby authorized to be appropriated, out of the Federal aid to wildlife restoration fund established by the act entitled "An act to provide that the Unitd States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937, as amended (16 U. S. C. secs. 669–669i), for the 1956 fiscal year and for each fiscal year thereafter, an amount equal to 20 percent of the accumulated unappropriated receipts in such fund on the date of enactment of this act, until the accumulated unappropriated receipts in such fund on such date have been appropriated and expended. Funds appropriated under the authority of this section shall be made available to the States in accordance with the provisions of, and under the apportionment formula set forth in, such act of September 2, 1937, and shall be in addition to the funds appropriated under section 3 of such act.

SEC. 2. Section 8 of such act of September 2, 1937, as amended, is amended by adding at the end thereof the following: "Notwithstanding any other provision of this act, funds apportioned to a State under this act may be expended by the State for management (exclusive of law enforcement and public relations) of wildlife areas and resources, but not more than 30 percent of the total amount apportioned to a State for any fiscal year may be expended for such purpose."

Mr. JOHNSON of Texas. Mr. President, this bill comes to the Senate on the recommendation of the Committee on Interstate and Foreign Commerce, to which it was referred.

The bill would make disposition to the States of some $13,467,468.61 of unexpended funds in the Federal aid to wildlife restoration fund. This fund was established by the Wildlife Restoration Act of September 2, 1937, as amended (50 Stat. 917; 16 U. S. C. 669). Into it, under the act, were routed revenues derived from the excise tax on firearms, shells, and cartridges, with the provision that Congress would make annual appropriations for wildlife restoration, equal to the yearly revenues from the excise tax cited. However, during the period from 1939 to 1947, inclusive, congressional appropriations for wildlife restoration purposes were less than the amount of excise-tax revenues placed in the fund, with the result that there was the accumulation of funds noted, which S. 756 and S. 1172 seek to distribute.

The 1937 act provided for distribution of these funds to the States on a matching basis, with the States supplying $1 for each $3 allotted by the Federal Government. The formula for distributing the funds was based on the area of the States and the number of paid hunting-license holders in the States, with a further equalizing provision that no State could be given more than 5 percent nor less than one-half of 1 percent of the total apportioned to all of them. Where States fail to match the funds allotted to them, the funds in question revert, according to statute, to the Migratory Bird Conservation Fund.

S. 756, as introduced, would allot the unexpended funds now on hand to the States over a 5-year period, 20 percent each year, without the requirement for matching funds. S. 1172, also considered by the committee, would use the entire amount for distribution to the States for use in fiscal 1956, on the statutory matching basis, and would therefore allot the yearly excise-tax receipts on firearms, shells, and cartridges for use in the second fiscal year following their receipt. This would make it possible for the States to know, well in advance, exactly how much matching funds would be required of them for each fiscal year, so that provision could be made on that basis.

S. 1172 also would amend the Wildlife Restoration Act of 1937 so that a portion of the program funds would be used in connection with activities involving "management, exclusive of law enforcement and public relations."

Mr. BRICKER. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. BRICKER. Does this bill appropriate the unexpended amounts of excise taxes for the purpose of buying refuges and for other State uses?

Mr. JOHNSON of Texas. It is my understanding that under its terms the bill would make the unexpended balances available for disposition by the States.

Mr. BRICKER. And there is no allocation for administrative purposes which changes the former allocation?

Mr. JOHNSON of Texas. Not so far as I am aware.

Mr. BRICKER. The bill is satisfactory to me.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 756) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the appropriation of accumulated receipts in the Federal aid to wildlife restoration fund established by the Pittman-Robertson Act and to authorize the expenditure of funds apportioned to a State under such act for the management of wildlife areas and resources."

SELF-GOVERNMENT FOR THE DISTRICT OF COLUMBIA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 256, Senate bill 669.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 669) to provide an elected mayor, city council, school board, and nonvoting delegate to the House of Representatives for the District of Columbia, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with amendments.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INSCRIPTION ON ALL UNITED STATES CURRENCY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the pending business, which is Senate bill 669, Calendar No. 256, be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 642, H. R. 619.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? The Chair hears none, and it is so ordered.

The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 619) to provide that all United States currency shall bear the inscription "In God We Trust."

Mr. JOHNSON of Texas. Mr. President, this bill would require that all currency and coins of the United States bear the inscription "In God We Trust." At the present time, this inscription appears on all coins, but is required by law only upon those denominations of silver coins on which it was inscribed prior to May 18, 1908. There is no comparable statutory requirement in regard to currency.

Currency has been issued by the United States Government since 1861. Thus, for almost a century, there has been no inscription on our currency reflecting the spiritual basis of our way of life. One reason that this situation has not been remedied heretofore has been the prohibitive cost involved in the necessary redesigning of the dies used in printing currency. However, the Bureau of Engraving and Printing is now planning technological improvements in its printing equipment which will require the preparation of new dies. Therefore, the inscription "In God We Trust" can be incorporated in the new dies with very little additional cost.

The committee which considered the bill believes the changeover in equipment presents an excellent opportunity to correct an oversight of many years standing.

The distinguished Senator from Oklahoma [Mr. MONRONEY] reported the bill from the committee. I shall be glad to have him make a statement, if he desires to do so.

Mr. MONRONEY. Mr. President, I merely wish to say that the bill was voted for unanimously in the subcommitee and the full committee. The bill was passed unanimously by the House. I know of no objection to the bill either from inside or outside Congress.

Mr. CARLSON. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. CARLSON. I wish to commend the Senator from Texas for having the bill considered at this time, and to commend the members of the committee who considered it and reported it to the Senate. I believe placing the inscription "In God We Trust" on our currency is most appropriate. Earlier this year I introduced a bill to put the words "In God We Trust" on new issues of postage stamps. I would not want to embarrass the majority leader or Senators who sponsored the pending bill by offering my bill as an amendment to it, but I wondered if the majority leader would have any objection to my offering such an amendment. Personally, I think it has merit. It would deal only with new issues of stamps. Would the Senator from Texas have any objection to such an amendment?

Mr. JOHNSON of Texas. I would not object to the proposal of the Senator from Kansas to have put the words "In God We Trust" on postage stamps. However, I would wish to explore the matter before I would agree to the suggestion as an amendment to the pending bill. Has the Senator from Kansas introduced a bill to that effect?

Mr. CARLSON. Yes; I have. S. 12 of this Congress.

Mr. JOHNSON of Texas. Was it referred to a committee?

Mr. CARLSON. Yes. It was referred to the Committee on Post Office and Civil Service. No action has been taken on it.

Mr. JOHNSON of Texas. I am always extremely reluctant to object to any suggestion made by my friend, the distinguished junior Senator from Kansas. He is an outstanding member of the Post Office and Civil Service Committee. I believe he is the ranking minority member of it. He was formerly chairman of that committee. I hope he will follow the orderly procedure, and will request the chairman to take action on the legislation he has proposed. I should be glad to join with the Senator in making that request. The schedule of the Senate is such that if the committee approved the bill, the leadership would have the means of bringing it before the Senate.

I am not in opposition to consulting with all the members of the Banking and Currency Committee, which reported the pending bill, but we thought the bill would not involve amendment. I would hesitate to take it upon myself to accept an amendment, even though I realize that what the Senator has in mind is a sound and good amendment, and certainly could not have better sponsorship. However, I do not wish to assume responsibility for accepting the amendment.

Mr. CARLSON. As I stated, I certainly would not wish in any way to embarrass the majority leader or Senators who sponsored the pending bill. It is a House bill, and it has gone through the Senate committee. For that reason I shall not offer an amendment. I myself think that a proposal to place on new issues of stamps the words "In God We Trust" has much merit. I hope the proposal will be considered in the near future.

Mr. JOHNSON of Texas. I appreciate the attitude of the Senator from Kansas.

Mr. CASE of South Dakota. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield to the distinguished Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, some time ago I was contacted by the Reverend Carl Loocke, of Rapid City, S. Dak., relative to changing the design on the dollar bill to provide that on the reverse side of the bill, where appears the word "one" in large letters, the figures of the heads on Mount Rushmore National Memorial should be placed. The idea was developed by Rev. Dr. Loocke and Mr. George Vesely, of Rapid City, S. Dak., and has been endorsed by the Honorable Joe Foss, Governor of South Dakota; by the Honorable John A. Bland, president of the Mount Rushmore National Memorial Society; and by the Honorable William Williamson, a trustee of the society, and for many years a distinguished Member of the United States House of Representatives.

If one will examine a dollar bill, he will note that the word "one" appears in each of the four corners on the re-

verse side, and the center of the bill is taken up with the three letters "o-n-e" in very large type. The words "One Dollar" also appear as the bottom line.

It occurred to Rev. Dr. Loocke that a great deal of space was consumed on the reverse sides of $1 bills simply to say it was a $1 bill.

I think the space used by the letters "o-n-e" on the dollar bill would make a splendid place on which to place the historic figures which are shown on Mount Rushmore National Memorial. The figures of heads which appear at the memorial are those of George Washington, Thomas Jefferson, Abraham Lincoln, and Theodore Roosevelt. The design on Mount Rushmore was created by a sculptor named Gutzon Borglum, one of the great sculptors of our generation.

I might call to the attention of the Members of the Senate the fact that there are four figures in Statuary Hall and in the rotunda which were sculptured by Gutzon Borglum. I think that is the largest number of pieces in the Capitol carved by any one sculptor. They are the figures of Stephens, Vance, Greenway, and the head of Abraham Lincoln. I mention that to illustrate the character of the work Gutzon Borglum has done.

We in South Dakota particularly believe the work done in Mount Rushmore national memorial is the greatest of the American memorials today. The fact that likenesses of the heads of four former Presidents have been sculptured, Presidents who are recognized as Presidents of all the people, would make it particularly appropriate to have that design appear on the reverse side of the dollar bill.

The pending measure proposes that when new dies for the printing of currency are adopted in connection with the current program of the Treasury Department to increase the capacity of presses utilized by the Bureau of Printing and Engraving, the dies shall bear an inscription of the words "In God We Trust." This is an appropriate time, it seems to me, to bring to the attention of the Senate this suggestion by Rev. Dr. Loocke and his associates that the likenesses of the heads of Presidents appearing on Mount Rushmore should be placed on dollar bills.

I should like to have the comment of the distinguished majority leader and the distinguished Senator from Oklahoma as to how they would feel about an amendment to provide for the proposal I have expressed in connection with the pending bill.

Mr. JOHNSON of Texas. Mr. President, I am prepared to comment, but I yield to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, I will say to my distinguished colleague from South Dakota that I think the idea is a sound one and a very good one. However, the pending bill is a House bill, although a similar bill was introduced in the Senate by the distinguished chairman of the Banking and Currency Committee, the Senator from Arkansas [Mr. FULBRIGHT]. It was thought that by keeping the provisions of the bill identical with those of the House bill, when it passed the Senate a conference would be avoided.

The distinguished Senator from South Dakota well knows that if the pending bill were amended by inserting new matter such as he suggests, it would probably result in a delay, and that the sponsors of the bill would raise certain questions, since the amendment would open up a new subject matter, rather than reaffirm a policy which has been in existence for over 75 years by way of expressing our trust in God. Therefore, I hope the distinguished Senator from South Dakota, with his ability and enthusiasm for carrying out any project which he proposes, will introduce his proposal as a separate measure, and permit the Banking and Currency Committee of the Senate to explore it as rapidly as it can.

Mr. CASE of South Dakota. I appreciate having the comments of the distinguished Senator from Oklahoma. I wonder if he would not agree with me that the representations of the heads of the Presidents which are sculptured on Mount Rushmore are of relatively noncontroversial political figures as of today.

Mr. MONRONEY. I certainly do agree with that statement. The only point I was attempting to bring out was that the bill provides for the placement on our currency of words which have been carried on our coinage for many years, and that the bill has already passed the House and has unanimously received the approval of the Senate committee. The introduction of any new matter into the bill, no matter how worthwhile, would delay the passage of the bill and its enactment into law, and would perhaps require our receiving comments on the suggestion from the Department heads, whereas we now have complete agreement regarding the bill.

I appreciate the worthiness and the need of honoring the great Mt. Rushmore monument to the former Presidents of the United States depicted there; but I hope the distinguished Senator from South Dakota will handle his proposal in a bill to be introduced separately, and will permit the pending bill to be passed now, rather than to have it amended, and then have to go to conference.

Mr. CASE of South Dakota. Mr. President, the distinguished majority leader said he would like to make a comment in connection with this matter. I should be very glad to have him do so at this time.

Mr. JOHNSON of Texas. Mr. President, the junior Senator from South Dakota knows that it is very difficult to turn down any proposal he makes. However, I must agree with the Senator from Oklahoma that to adopt the amendment now suggested by the Senator from South Dakota would not achieve the result the Senator from South Dakota wishes to have achieved.

Furthermore, of course I would not be in favor of adding to the bill at this time an amendment which had not been considered by the committee. So I am not in a position to pass on such an amendment, although I state frankly that any amendment suggested by the Senator from South Dakota always receives my serious consideration.

If the Senator from South Dakota desires to introduce his proposal as a separate bill, of course it will receive our serious and careful consideration.

Mr. CASE of South Dakota. Mr. President, I deeply appreciate the statement the Senator from Texas has made and his offer of cooperation.

Let me say that I have submitted this matter to the Secretary of the Treasury, who has said that when the dollar bill is redesigned, he will give consideration to the proposal.

I have not cared to introduce a bill on the subject, for I fear that the Treasury Department might hesitate to take such action during the pendency of such a bill. However, I desire to take up this matter with the members of the Banking and Currency Committee.

Mr. President, in conclusion I should like to emphasize that the great Presidents of the United States depicted at Mount Rushmore are not the subjects of controversy. They were great Presidents of the United States who made outstanding contributions to the development of the entire Republic.

In adopting my proposal, I think we would not so much be honoring them as we would be honoring ourselves, and demonstrating our appreciation of American ideals. That is why I propose that we include on the reverse side of the one-dollar bills a portrayal, as depicted at Mount Rushmore, of the heads of George Washington, Thomas Jefferson, Abraham Lincoln, and Theodore Roosevelt.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 619) was ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6795) to authorize appropriations for the Atomic Energy Commission for acquisition or condemnation of real property or any facilities, or for plant or facility acquisition, construction, or expansion, and for other purposes.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 45) providing for the reenrollment of S. 195, for the relief of Giuseppe Minardi.

SELF-GOVERNMENT FOR THE DISTRICT OF COLUMBIA

The Senate resumed the consideration of the bill (S. 669) to provide an elected mayor, city council, school board, and nonvoting delegate to the House of Representatives for the District of Columbia, and for other purposes, which

had been reported from the Committee on the District of Columbia with amendments.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. The home rule bill for the District of Columbia is now the unfinished business, is it not?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. The distinguished chairman of the Committee on the District of Columbia [Mr. NEELY] is present, and is prepared to give an explanation of the bill.

Mr. NEELY. Mr. President——

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. NEELY. Mr. President, the District of Columbia home rule Senate bill 669, which is now before us, is sponsored by 33 other Senators who joined me in introducing it. These 33—16 Democrats and 17 Republicans—are among the most prominent and useful Members of this body.

Twice in recent years the Senate, by overwhelming majorities, passed home rule bills similar to the pending measure. Apparently prolonged debate in the discharge of our present duty would be as superfluous as argumentation in behalf of the faultlessness of the Ten Commandments, or the perfection of the Sermon on the Mount.

In the circumstances, my remarks will be limited to a brief statement of the objects of the measure as they were specified by the eminent Senator from Oregon [Mr. MORSE] in his excellent committee report to the Senate, as follows:

The bill provides for the following:

(a) A popularly elected mayor; (b) a popularly elected city council; (c) a popularly elected school board; and (d) a popularly elected nonvoting Delegate to the House of Representatives.

The bill creates a Board of Elections consisting of five members appointed by the President by and with the advice and consent of the Senate, which Board shall conduct all elections provided for in the bill.

The objectives of the measure are threefold: First, to relieve the Congress of the detail of District affairs, as has been done in the case of the Territories, while still retaining the control in Congress required by the Constitution; second, to create a representative local government for the District of Columbia chosen by the qualified electors; and third, to provide ways and means of making that government economical and efficient.

The first provision of the bill to become effective, if enacted, is that which provides for a referendum on the proposed charter. If a majority of those voting approve the charter, it would take effect next year; and in October a mayor, council, school board, and nonvoting Delegate to the House of Representatives would be elected, to take office in January 1957.

The mayor and council would take over the functions of the present Board of Commissioners, which would be abolished. The council would be endowed with local legislative power, subject to certain enumerated restrictions and to the overriding power of Congress to repeal, amend, or initiate local legislation and to modify or revoke the charter itself. This endowment of local power is patterned after the similar grants of power to Territorial legislatures. The Board of Education would inherit the powers of the present Board to administer the District schools. The Delegate would have privileges coextensive with those granted the Delegates from Hawaii and Alaska.

Mr. President, I urge a favorable vote on the bill without further delay.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection?

Mr. CASE of South Dakota. Mr. President, let me inquire what request the Senator from Texas has made.

Mr. JOHNSON of Texas. I have asked unanimous consent that the committee amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 1, after the enacting clause, strike out:

"That this act, divided into titles and sections according to the following table of contents, may be cited as the 'District of Columbia Charter Act'."

And in lieu thereof, insert:

"That subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the strengthened validity of principles of local self-government by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation. Finally, it is recognized that the restoration of the powers of local self-government to the inhabitants of the District by this act will in no way change the need, which arises from the unique character of the District as the Nation's Capital, for the payment by the Federal Government of a share of the expenses of the District government; and it is intended that such restoration shall affect neither the continuance of the established policy of paying such a share nor the amount thereof."

On page 5, in the table of contents, in section 1302, after the word "District", strike out "for period ending June 30, 1957"; after section 1705, insert: "Title XVIII—Title of Act

"SEC. 1801. Title of act."

On page 7, line 10, after the word "territory", strike out "which was ceded by the State of Maryland to the Congress of the United States for" and insert "constituting"; on page 8, after line 5, insert:

"(c) Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the act of October 31, 1945 (59 Stat. 552)."

On page 11, line 18, after the word "undertaking", strike out "or"; in line 20, after the word "of", strike out "title VI.", and insert "title VI; or"; after line 20, insert:

"(7) enact or pass any act inconsistent with or contrary to the act of June 6, 1924 (43 Stat. 463), as amended by the act of April 30, 1926 (44 Stat. 374), and by the act of July 19, 1952 (66 Stat. 871); and the act of May 29, 1930 (46 Stat. 482), as amended, and the Council shall not pass any act inconsistent with or contrary to any provision of any act of Congress as it specifically pertains to any duty, authority, and responsibility, of the National Capital Planning Commission; except insofar as the above-cited or other referred-to acts refer to the Engineer Commissioner or the Board of Commissioners, the former of which terms, after the enactment of this act, shall mean the Mayor or some District Government official deemed by the Mayor to be best qualified, and designated by him to sit in lieu of the Mayor as a member of the National Capital Planning Commission and the National Capital Regional Planning Council, and the latter term shall mean the District Council."

On page 13, line 8, after the word "or", insert "of"; on page 20, line 14, after the word "commissions", strike out "and personnel to occupy positions formerly occupied by one or more members of the Board of Commissioners, all subject" and insert "who under laws in effect on the date of enactment of this act are subject to appointment and removal by the Commissioners, and personnel to occupy positions formerly occupied by one or more members of the Board of Commissioners, which appointments and removals shall, until changed by act of the District Council establishing a merit system, be subject."

On page 23, line 12, after the word "budget", insert "estimates"; on page 24, line 8, after the word "those", insert "therefore"; in line 9, after the word "appropriated", strike out "pursuant to section 504"; in the same line, after the word "extent", strike out "unobligated" and insert "unappropriated"; in line 10, after the word "purpose", strike out "unobligated" and insert "unappropriated"; on page 30, line 9, after "Sec. 622.", strike out "In" and insert "For"; in line 18, after the word "year", strike out "in" and insert "for"; on page 32, line 9, after the word "budget", insert "estimates"; on page 36, line 12, after the word "the", strike out "budget" and insert "budget approved by the District Council"; on page 37, line 3, after the word "appropriate", strike out "fund" and insert "funds"; on page 41, line 13, after the word "which", strike out "adequate" and insert "reasonable"; on page 43, line 2, after the word "necessary", strike out "The Secretary shall receive a salary at a rate to be fixed by the Board of Education"; on page 65, line 12, after the word "district", strike out "for period ending June 30, 1957"; in line 16, after the word "otherwise", strike out "appropriated, for the fiscal year ending June 30, 1957" and insert "appropriated"; on page 66, line 13, after the numerals "III", insert "title V"; after line 14, insert "and";

in line 16, after the word "day", strike out "after the day"; in line 17, after the word "takes", strike out "office; and" and insert "office."; after line 18, strike out:

"(3) title V shall be applicable only with respect to the fiscal year ending June 30, 1958, and each succeeding fiscal year."

On page 67, line 19, after the word "offices", strike out "(other than in the District of Columbia) where on the ballot, or in voting for District Delegate certifies that he has not, within 2 years prior to such registration, voted in any election (other than in the District of Columbia), for candidates to public office", and insert "were on the ballot", and on page 80, after line 11, insert:

"TITLE XVIII—TITLE OF ACT

"SEC. 1801. This act, divided into titles and sections according to table of contents, and including the declaration of congressional policy which is a part of such act, may be cited as the 'District of Columbia Charter Act.'"

Mr. CASE of South Dakota. Mr. President, Senate bill 669, which was introduced by the distinguished Senator from West Virginia [Mr. NEELY], on behalf of himself and a large number of other Senators, in which I am proud to be included, represents the accumulated study, over a period of years, of the Committee on the District of Columbia, on the subject of home rule legislation for the District of Columbia.

When I first came to the Senate, I was assigned to the Committee on the District of Columbia, and served on it under the inspiring leadership of the distinguished Senator from West Virginia [Mr. NEELY]. One of the first hearings I attended was on home-rule legislation. In the 82d Congress, the committee reported a home-rule bill, and it was my privilege to present the bill on the floor of the Senate. At that time it was debated extensively. The Senate finally passed the bill by a substantial majority.

During the 83d Congress I was chairman of the Committee on the District of Columbia. Again we reported a bill which carried forward the work which had been done in connection with an earlier bill, and presented it to the Senate. Because of the public works bill and other major District legislation of considerable urgency at the time, including the corporation bill, the omnibus crime bill, and other general legislation of interest to the District of Columbia, we did not obtain floor consideration for the home-rule bill. However, the Senate did pass a District primary bill, and took some other steps toward home rule in the District of Columbia.

The bill which comes to the floor at this time represents the consolidated work of the committees during the past two Congresses, at least, and to some extent even before that, plus intensive study by the Senate Committee on the District of Columbia in this Congress. I feel that it represents a great deal of interested, intelligent work on the part of members of the committee in the 84th Congress, and that it has had the benefit of counsel of citizens of the District who have attended hearings and offered their proposals and suggestions over a period of years.

We use the term "citizens of the District of Columbia," but I stutter every time I use it because the people who live in the District of Columbia are not citizens in the sense of the word which implies that they have a voice in their government. I do not believe there is any group of people who live in continental United States who are disfranchised to a greater extent than are those who have spent their lives in the District of Columbia, or who come to the District of Columbia from other portions of the country and, for one reason or another, are unable to maintain a voting residence in one of the States.

The people of the District of Columbia have no effective voice in their own government. I make that statement categorically because, although the citizens of the District have a commendable zeal in their District associations and in their community groups, yet they have no way to express themselves in such a manner that Congress must take cognizance of what they say. They have no voice in the selection of the Commissioners of the District of Columbia, who are appointed by the President of the United States and whose nominations are confirmed by the Senate.

They have no voice in the selection of the Advisory Council to the Commissioners. The Advisory Council to the Commissioners was created under the reorganization plan for the District of Columbia. Its members are appointed or selected by the Board of Commissioners themselves. It is true that the Advisory Council consists of very able and respected people. They are persons of excellent repute and good judgment, but they are selected by the Commissioners themselves, and, so long as they are, they necessarily reflect the point of view of the Commissioners. While there is some value in their review of what the Commissioners propose, they have no veto power. They can only suggest. They necessarily tend to be more or less of a ratification body for what the Commissioners do.

That is not to suggest in any degree a lack of ability on the part of the Commissioners. I think the District of Columbia has been blessed by the selection of good Commissioners, generally speaking, over a period of years, and, of course, the Senate has a voice by way of confirmation of their nominations.

In a study which I made of the residence of Commissioners of the District of Columbia last year, I found that in 50 years there has not been a Commissioner appointed who lived east of 16th Street NW. or south of Pennsylvania Avenue. In other words, the Commissioners of the District of Columbia, excellent men though they may be, have come from not merely one quarter of the city but less than a quarter of the city. Try as best they can, they cannot bring to the government of the District of Columbia the viewpoint which would exist were the members of the governing body or the administrative group for the District of Columbia selected from various portions of the city.

The pending bill was conceived to insure that there would be representation of the several residential portions of the city, as well as the industrial and business sections. Although the candidates might be voted on at large, they would be nominated from wards or districts.

Unless the people of the District of Columbia are given a voice in their local government, a mockery is made of the protestations of this country that we believe in representative government. There is nothing that is so weak in the representation which our ministers abroad make as to democracy in the United States as the single fact that the people of other countries can point to the city of Washington, D. C., the Capital of the United States, and say, "The people who live there do not have a voice in their own Government. How can you preach democracy to us, how can you talk about representative government to us, when in your Capital City, of which you boast so proudly, you do not practice the principle which you preach, namely, the idea of representative government?"

So, Mr. President, I feel that the bill comes to the Senate at a time when it ought to be passed. There is nothing that the Congress of the United States could do, in my judgment, which would more definitely and clearly show to all the nations of the world and all peoples everywhere that the United States believes in representative government than the adoption of a method of government for the District of Columbia which would give the people here a voice in their own Government. The President of the United States, Dwight D. Eisenhower, has recognized this and has repeatedly called for enactment of home rule for the District of Columbia. It is definitely a part of the administration program.

The bill ought to be passed.

Mr. NEELY. Mr. President, let me express my appreciation of the tireless, effectual, faithful service which the outstanding Senator from South Dakota [Mr. CASE] has rendered the District of Columbia, first, as a member of the District Committee and later as the committee's chairman. He, more than anyone else, was responsible for the preparation and the passing through this body of the home-rule bill which was the immediate progenitor of the one on which we are about to vote. The District owes Senator CASE a lasting debt of gratitude for his service.

Mr. CASE of South Dakota. Mr. President, if the Senator will indulge me for a brief word, if I was able to do anything effective in connection with the work of the Committee on the District of Columbia, I should like to have the RECORD show that my tutelage was spent under the chairmanship of the distinguished Senator from West Virginia.

Mr. NEELY. I thank the Senator with all my heart.

Mr. MCNAMARA. Mr. President, there is very little left to be said in favor of the passage of the pending bill. However, I should like to add to what the able Senators have already said the statement that those who appeared before the subcommittee, as well as the full committee, in favor of the passage of the bill would have convinced any Senator who listened to them of the justification for its passage.

I am sure that this year there was less opposition than ever before to home-rule legislation for the District of Columbia. I urge passage of the pending bill, so that we can eliminate the practice of taxation without representation, which now prevails in the Capital of our great Nation.

Mr. CASE of New Jersey. Mr. President, I have no desire to delay unduly the proceedings in the Senate today, but I do wish to associate myself with the three members of the committee, including the distinguished chairman, the Senator from West Virginia [Mr. NEELY], the distinguished former chairman, the Senator from South Dakota [Mr. CASE], and my distinguished colleague from Michigan [Mr. MCNAMARA], in whole-hearted support of the pending bill.

It is utterly wrong that any body of our citizens should be not only without the right to vote, but without the responsibilities which go with citizenship. I firmly believe in the division of powers which, in our country, is so significant. One of the reasons why I believe in it is not merely that concentration of power in the hands of any one individual is a serious evil, but that the division of power and the division of responsibility which goes with power are essential if we are to have effective, working democracy. To have the measure of citizenship of residents of the District of Columbia reduced to less than 1 percent of that which those of us elsewhere in the country enjoy is a situation the correction of which is long overdue. Therefore, I wish to associate myself with my colleagues on the committee.

For myself, I express to the present chairman of the committee, Mr. NEELY, and to his predecessor, Mr. CASE of South Dakota, my personal thanks for the zeal with which they considered the bill and the efforts they devoted to it until it was finally reported to the Senate and made ready for action. I wish also to say a word for my former colleague in the House, Representative AUCHINCLOSS of New Jersey, who for many years has been an ardent and very effective advocate of home rule in the District of Columbia.

The important fact is not that we will necessarily get better men to run the affairs of the District. It is that without the participation of the citizens of the District of Columbia in the government of the city in which they live we shall not have an effective and working democracy in our Nation's Capital.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. MORSE. Mr. President, I wish to make a very brief statement in support of the bill, as chairman of the judiciary subcommittee of the Committee on the District of Columbia.

I wish to extend my very sincere commendations to the Members of the Senate who have done such very effective and able work in the preparation of the bill, in conducting the hearings on it, and in bringing to the floor of the Senate a bill which represents such a marked step forward in providing democratic processes to the people of the District of Columbia.

The privileges granted by the bill are long overdue. I would not wish Senators to vote for the bill in the belief that it represents the completion of the job. The bill is a step forward in providing the citizens of the District of Columbia with first-class citizenship. We still have a very important task ahead of us, in working out the constitutional problems involved in providing to the citizens of the District of Columbia full voting privileges as citizens of the United States.

I do not share the throwing-up-of-hands and desperate attitude of some who seem to believe that giving the citizens of the District of Columbia full citizenship so far as voting privileges are concerned is a legal impossibility.

With the passage of the bill today, I shall continue to do everything I can in working for the greater objective, which is to give to the citizens of the District of Columbia voting representation in Congress and the precious right to vote for the President of the United States. It is important that we do that, so that we may hold up our heads before the world and say with honesty that there is no second-class citizenship in the United States of America. In passing the bill today, we shall take a great step forward toward that very desirable goal.

As chairman of the Judiciary Subcommittee of the Committee on the District of Columbia, I am pleased to recommend the bill most highly to my colleagues in the Senate.

Mr. ALLOTT. Mr. President, it is my purpose, in speaking very briefly in support of the pending bill, to put myself on record as stating that the members of the Committee on the District of Columbia, particularly the able chairman and the chairman during the last Congress, deserve to be commended and congratulated for the steadfastness with which they have encouraged and pushed the proposed legislation.

It was particularly encouraging to me to observe the fervor and desire of the people of the District for representation in their own government.

I address myself to the very able chairman of the committee when I say that perhaps we take and wear our own citizenship rights too lightly and think of them too lightly. It was a reaffirmation of the typical American spirit to observe the people of the District of Columbia, one and all, express their desire and wish and determination to have a voice in their own government.

I associate myself with the remarks of my colleagues, and I support the bill unqualifiedly.

The PRESIDING OFFICER. The question is on the final passage of the bill.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. BEALL. Mr. President, I ask unanimous consent to have printed in the RECORD preceding the vote on S. 669 a statement which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BEALL

On behalf of S. 669, it should be noted that the bill was sponsored by 17 Republican Senators and 17 Democratic Senators, which is a solid indication of the bipartisan nature of this legislation; and that the platforms of the two political parties favor self-government for the residents of the Nation's Capital.

S. 669 would give the people of the District effective control over their own affairs and is long overdue. The District of Columbia is the only locality in the Nation where the citizens have no voice in their own local government.

The very basic concept of our representative form of government lies in the fundamental right of the people to elect those who shall govern them; otherwise we could not with propriety and honesty subscribe to the truism expressed so often that ours is a government of the people, by the people, and for the people. The residents of the District of Columbia should have this right.

Washington is our Nation's Capital and it should be a model for the rest of the country. The Congress of the United States does not have the time to serve as a city council for a city with an annual budget of $175 million and 20,000 employees.

Therefore, I feel it would be in the interest of good democracy as well as good business to enact S. 669.

The PRESIDING OFFICER. The question is on the final passage of Senate bill 669. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. CLEMENTS. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY] the Senator from Washington [Mr. MAGNUSON], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The Senator from Georgia [Mr. GEORGE] is unavoidably absent.

The Senator from Montana [Mr. MURRAY] is absent by leave of the Senate to attend the International Labor Organization meeting in Geneva, Switzerland.

On this vote the Senator from Virginia [Mr. BYRD] is paired with the Senator from Washington [Mr. MAGNUSON]. If present and voting the Senator from Virginia would vote "nay" and the Senator from Washington would vote "yea."

I further announce that if present and voting the Senator from Tennessee [Mr. KEFAUVER], the Senator from Massachusetts [Mr. KENNEDY], and the Sena-

tor from Montana [Mr. MURRAY] would each vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER], the Senator from New Jersey [Mr. SMITH], the Senator from Ohio [Mr. BENDER], the Senator from Indiana [Mr. JENNER], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Delaware [Mr. WILLIAMS], and the Senator from Connecticut [Mr. PURTELL] are necessarily absent.

The Senator from Illinois [Mr. DIRKSEN] is absent on official business for the Committee on Appropriations.

The Senator from Arizona [Mr. GOLDWATER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Idaho [Mr. WELKER], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

If present and voting the Senator from Ohio [Mr. BENDER], the Senator from Maryland [Mr. BUTLER], the Senator from Wisconsin [Mr. MCCARTHY], the Senator from Connecticut [Mr. PURTELL], the Senator from New Jersey [Mr. SMITH], and the Senator from Delaware [Mr. WILLIAMS] would each vote "yea."

The result was announced—yeas 59, nays 15, as follows:

YEAS—59

Aiken	Duff	Martin, Pa.
Allott	Dworshak	McNamara
Anderson	Flanders	Millikin
Barkley	Green	Monroney
Barrett	Hayden	Morse
Beall	Hennings	Neely
Bennett	Hickenlooper	Neuberger
Bible	Holland	O'Mahoney
Bricker	Hruska	Pastore
Bush	Humphrey	Payne
Capehart	Ives	Potter
Carlson	Jackson	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Kerr	Scott
Chavez	Kilgore	Smathers
Clements	Knowland	Smith, Maine
Cotton	Kuchel	Symington
Curtis	Lehman	Thye
Daniel	Mansfield	Watkins
Douglas	Martin, Iowa	

NAYS—15

Eastland	Johnston, S. C.	Robertson
Ellender	Long	Russell
Ervin	Malone	Stennis
Frear	McClellan	Thurmond
Hill	Mundt	Young

NOT VOTING—22

Bender	Gore	Purtell
Bridges	Jenner	Smith, N. J.
Butler	Kefauver	Sparkman
Byrd	Kennedy	Welker
Dirksen	Langer	Wiley
Fulbright	Magnuson	Williams
George	McCarthy	
Goldwater	Murray	

So the bill (S. 669) was passed.

Mr. NEELY. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. HUMPHREY. Mr. President, I move to lay on the table the motion of the Senator from West Virginia.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota to lay on the table the motion of the Senator from West Virginia.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I have always supported home rule for the District of Columbia since I have been a Member of the Senate, and I again voted for home rule today when I voted for the bill which has just passed the Senate. I had not expected to make any statement whatever, but in view of the fact that several proponents of the bill indicated that, in their view, home rule was coupled with the idea of giving voting representation in the Congress of the United States to the residents of the District of Columbia and, likewise, was coupled with admitting the residents of the District of Columbia to full participation in presidential elections, I just wish to have the RECORD clearly show that I do not regard those 2 matters as having anything to do with home rule, and I do not support those 2 objectives. I think they are completely out of conformity with the idea of a Federal district such as was conceived by the Founding Fathers.

Home rule was enjoyed by the inhabitants of the District of Columbia before the creation of the District, and for many years thereafter, and my support of home rule now is animated by the desire to restore to them a large measure of control of their local governmental affairs.

Senate bill 669, as passed, is as follows:

Be it enacted, etc., That subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the strengthened validity of principles of local self-government by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation. Finally, it is recognized that the restoration of the powers of local self-government to the inhabitants of the District by this act will in no way change the need, which arises from the unique character of the District as the Nation's Capital, for the payment by the Federal Government of a share of the expenses of the District government; and it is intended that such restoration shall affect neither the continuance of the established policy of paying such a share nor the amount thereof.

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TITLE I—DEFINITIONS

Definitions

SEC. 101. For the purposes of this act—

(1) The term "District" means the District of Columbia.

(2) The term "District Council" means the Council of the District of Columbia provided for by title III.

(3) The term "Chairman" means the Chairman of the District Council provided for by title III.

(4) The term "Mayor" means the Mayor provided for by title IV.

(5) The term "qualified elector" means a qualified elector of the District as specified in section 906, except as otherwise specifically provided.

(6) The term "act" includes any legislation adopted by the District Council, except where the term "act" is used to refer to this act or other acts of Congress herein specified.

(7) The term "expenditure", when applied to any period of time, includes an obligation to expend incurred during such period, but does not include a disbursement made in such period if the obligation to make such disbursement was incurred in a prior period.

(8) The term "person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(9) The term "capital project," or "project," means (a) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (b) the acquisition of property of a permanent nature; or (c) the purchase of equipment for any public betterment or improvement when first erected or acquired.

(10) The term "pending," when applied to any capital project, means authorized but not yet completed.

TITLE II—STATUS OF THE DISTRICT

Status of the District

SEC. 201. (a) All the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia. The District of Columbia is hereby declared to be a body politic and corporate in perpetuity for governmental purposes and as such may sue and be sued, contract and be contracted with, and have a corporate seal. Such body politic and corporate is the successor of the District of Columbia created by section 2 of the Revised Statutes relating to the District of Columbia and continued by the first section of the act of June 11, 1878 (D. C. Code, 1951 edition, sec. 1–102). So far as is consistent with the provisions of this act, all powers, rights, privileges, immunities, duties, obligations, assets, and liabilities of the District of Columbia created by such section 2 are hereby transferred to, vested in, and imposed upon the body politic and corporate created by this section.

(b) Section 1 of the act of February 21, 1871 (16 Stat. 419), and section 1 of the act of June 11, 1878 (20 Stat. 102), are hereby repealed.

(c) Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the act of October 31, 1945 (59 Stat. 552).

TITLE III—THE DISTRICT COUNCIL

PART 1—CREATION OF THE DISTRICT COUNCIL

Creation and membership

SEC. 301. There is hereby created a Council of the District of Columbia consisting of nine members elected as provided in title IX.

Qualifications for holding office

SEC. 302. No person shall hold the office of member of the District Council unless he (1) is a qualified elector, (2) is domiciled in the District and resides in the ward from which he is nominated, has, during the 3 years next preceding his nomination resided and been domiciled in the District and has for 1 year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. A member of the Council shall forfeit his office upon failure to maintain the qualifications required by this section.

Compensation

SEC. 303. Each member of the District Council, except the Chairman, shall receive compensation at a rate of $3,000 per annum, payable in equal monthly installments. The Chairman shall receive compensation at a rate of $5,000 per annum, payable in equal monthly installments. All members shall receive such additional allowances for expenses as may be approved by the District Council to be paid out of funds duly appropriated therefor.

PART 2—PRINCIPAL FUNCTIONS OF THE DISTRICT COUNCIL

Functions heretofore exercised by the Board of Commissioners

SEC. 321. (a) Except as otherwise provided in this act, all functions granted to or imposed upon the Board of Commissioners of the District are hereby transferred to the District Council except those powers hereinafter specifically conferred on the Mayor.

(b) The Board of Commissioners of the District is hereby abolished.

Functions relating to zoning

SEC. 322. The Zoning Commission created by the first section of the act of March 1, 1920, creating a Zoning Commission for the District of Columbia, as amended (D. C. Code, 1951 ed., sec. 5–412), is hereby abolished, and its functions are transferred to the District Council.

Certain delegated functions

SEC. 323. No function of the Board of Commissioners of the District which such Board has delegated to an officer or agency of the District shall be considered as a function transferred to the Council by section 321. Each such function is hereby transferred to the officer or agency to whom or to which it was delegated, until the Mayor or Council, or both, pursuant to the powers herein granted, shall revoke, modify, or transfer such delegation.

Powers of and limitations upon District Council

SEC. 324. (a) Except as provided in subsection (b) and subject to the reserved powers of the Congress as provided in section 324 (d), there shall be vested in the District Council complete legislative power over the District with respect to all rightful subjects of legislation not inconsistent with the Constitution or with the laws of the United States which are applicable but not confined to the District: *Provided*, That such subjects are within the scope of the power of Congress in its capacity as the legislature for the District of Columbia as distinguished from its capacity as the National Legislature. The District Council shall, by majority vote of those present, confirm or reject nominees proposed by the Mayor, and shall have power, by vote of two-thirds of its members, to override any veto by the Mayor.

(b) The District Council may not pass any act contrary to the provisions of this act or—

(1) impose any tax on property of the United States;

(2) grant any exclusive privilege, immunity, or franchise;

(3) authorize any lottery or the sale of lottery tickets or authorize any form of gambling;

(4) authorize the use of public money in support of any sectarian, denominational, or private school;

(5) lend the public credit for support of any private undertaking;

(6) authorize the issuance of bonds except in compliance with the provisions of title VI; or

(7) enact or pass any act inconsistent with or contrary to the act of June 6, 1924 (43 Stat. 463), as amended by the act of April 30, 1926 (44 Stat. 374), and by the act of July 19, 1952 (66 Stat. 871); and the act of May 29, 1930 (46 Stat. 482), as amended, and the Council shall not pass any act inconsistent with or contrary to any provision of any act of Congress as it specifically pertains to any duty, authority, and responsibility, of the National Capital Planning Commission; except insofar as the above-cited or other referred to acts refer to the Engineer Commissioner or the Board of Commissioners, the former of which terms, after the enactment of this act, shall

mean the mayor or some District government official deemed by the mayor to be best qualified, and designated by him to sit in lieu of the mayor as a member of the National Capital Planning Commission and the National Capital Regional Planning Council, and the latter term shall mean the District Council.

(c) An act, except as otherwise provided in this act, shall become effective 30 days after the passage or at such later time as the Council may designate: *Provided,* That an act may become effective at any time after its passage if the Council by vote of two-thirds of its members shall state in such act that an emergency exists requiring such earlier effective date. Every act or resolution shall include a preamble, or be accompanied by a report, setting forth concisely the purposes of its adoption. Every act or resolution shall be published, within 7 days after its passage, as the District Council may direct.

(d) The Congress of the United States reserves the right, at any time, to exercise its constitutional authority as legislature for the District of Columbia, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the District Council by this act, including without limitation legislation to amend or repeal any law in force in the District of Columbia prior to or after the enactment of this act or of any provision of this act.

PART 3—ORGANIZATION AND PROCEDURE OF THE DISTRICT COUNCIL

The Chairman

SEC. 331. The District Council shall elect from among its members a Chairman who shall be the presiding officer of the District Council, and a Vice Chairman, who shall preside in the absence of the Chairman. When the mayor is absent or unable to act, or when the office is vacant, the Chairman shall act in his stead. The term of the first Chairman shall expire at the close of December 31, 1958, and at the close of December 31 of each succeeding even-numbered year the term of office of the incumbent Chairman shall expire.

Secretary of the District Council; records and documents

SEC. 332. (a) The District Council shall appoint a secretary who shall serve at the pleasure of the District Council as its chief administrative officer, and such assistants and clerical personnel as may be necessary. The secretary shall receive a salary at a rate to be fixed by the District Council by act.

(b) The secretary shall (1) keep a full record of the proceedings of the District Council, (2) keep a journal showing the text of all acts and resolutions introduced, the substance of the debates, and the ayes and noes of each vote, (3) authenticate by his signature and record in full, in a book kept for the purpose, all acts and resolutions passed by the District Council, and (4) perform such other duties as the Council may from time to time prescribe.

Meetings

SEC. 333. (a) The first meeting of the District Council after this part takes effect shall be called by the member who receives the highest vote in the election provided in title IX. He shall preside until a Chairman is elected. The first meeting of the District Council in each odd-numbered year commencing with 1959 shall be called by the Secretary of the District Council for a date not later than January 7 of such year.

(b) The District Council shall provide for the time and place of its regular meetings. The District Council shall hold at least one regular meeting in each calendar week except that during July and August it shall hold at least 2 regular meetings in each month. Special meetings may be called, upon the giving of adequate notice, by the Mayor, the Chairman, or any three members of the Council.

(c) Meetings of the District Council shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The records, journals, and books of the Council provided for in section 332 (b) shall be open to public inspection and available for copying during all regular office hours of the Council Secretary. Any citizen shall have the right to petition and be heard by the Council at any of its meetings, within reasonable limits as set by the Council Chairman, the Council concurring.

Committees

SEC. 334. The Council Chairman, with the advice and consent of the Council, shall appoint such standing and special committees as may be expedient for the conduct of the Council's business. All committee meetings shall be open to the public except when ordered closed by the committee chairman, with the approval of a majority of the members of the committee.

Acts and resolutions

SEC. 335. (a) The Council, to discharge the powers and duties imposed herein, shall enact acts and adopt resolutions, upon a vote of a majority of the members of the Council, unless otherwise provided herein. Acts shall be used for all legislative purposes. Resolutions shall be used to express simple determinations, decisions, or directions of the District Council of a special or temporary character.

(b) (1) The enacting clause of all acts passed by the District Council shall be, "Be it enacted by the Council of the District of Columbia:".

(2) The resolving clause of all resolutions passed by the District Council shall be "The Council of the District of Columbia hereby resolves,".

Passage of acts

SEC. 336. The District Council shall not pass any act before the 13th day following the day on which it is introduced. Subject to the other limitations of this act, this requirement may be waived by the unanimous vote of the members present.

Procedure for zoning acts

SEC. 337. (a) Before any zoning act for the District is passed by the District Council—

(1) the District Council shall deposit the act in its introduced form, with the National Capital Planning Commission. Such Commission shall within 30 days after the date of such deposit, report to the District Council whether the proposed act is in conformity with the comprehensive plan for the District of Columbia. The District Council may not pass the act unless it has received such report or the Commission has failed to report within the 30-day period above specified; and

(2) the District Council (or an appropriate committee thereof) shall hold a public hearing on the act. At least 30 days' notice of the hearing shall be published as the Council may direct. Such notice shall include the time and place of the hearing and a summary of all changes in existing law which would be made by adoption of the act. The District Council (or committee thereof holding the hearing) shall give such additional notice as it finds expedient and practicable. At the hearing interested persons shall be given reasonable opportunity to be heard. The hearing may be adjourned from time to time. The time and place of the adjourned meeting shall be publicly announced before adjournment is had.

(b) The District Council shall deposit with the National Capital Planning Commission each zoning act passed by it. If in the opinion of the Commission such act, as passed, would adversely affect the interests of the Federal Government, the Commission, shall within 30 days after the date of such deposit certify to the District Council its disapproval of such act. If such certification of disapproval is not made within such 30-day period, the zoning act shall take effect as law on the day following the expiration of such period. If the Commission makes such certification of disapproval within the 30-day period above specified, the zoning act shall take effect as law only if, within 30 days after the day on which such certification is received, the act be readopted by the affirmative vote of at least two-thirds of the members of the District Council; in which case the zoning act shall take effect as law on the day following the day on which it is readopted, or at such later date as the Council may designate.

Investigations by District Council

SEC. 338. (a) The District Court, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District; and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence. For such purpose any member of the District Council (if the District Council is conducting the inquiry) or any member of the committee, or the person conducting the inquiry, may issue subpenas and may administer oaths.

(b) In case of contumacy by, or refusal to obey a subpena issued to, any person, the District Council, committee, or person conducting the investigation shall have power to refer the matter to any judge of the United States District Court for the District of Columbia, who may by order require such person to appear and to give or produce testimony or books, papers, or other evidence, bearing upon the matter under investigation; and any failure to obey such order may be punished by such court as a contempt thereof as in the case of failure to obey a subpena issued, or to testify, in a case pending before such court.

TITLE IV—MAYOR

Election, qualifications, and salary

SEC. 401. (a) There is hereby created the office of Mayor of the District of Columbia. The Mayor shall be elected as provided in title IX.

(b) No person shall hold the office of Mayor unless he (1) is a qualified elector, (2) is domiciled and resides in the District and has during the 3 years next preceding his nomination been resident in and domiciled in the District, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. The Mayor shall forfeit his office upon failure to maintain the qualifications required by this section.

(c) The Mayor shall receive an annual salary of $15,000, and an allowance for official expenses, which he shall certify in reasonable detail to the District Council, of not more than $2,500 annually.

Powers and duties

SEC. 402. The Mayor shall be the chief executive officer of the District government. He shall be responsible for the proper administration of the affairs of the District coming under his jurisdiction or control, and to that end shall have the following powers and functions:

(1) He shall act as the official spokesman for the District and as the head of the District for ceremonial purposes.

(2) He shall appoint and may remove personnel in the executive office of the Mayor, the executive departments of the District, members of boards and commissions, who under laws in effect on the date of enactment of this act are subject to appointment

and removal by the Commissioners, and personnel to occupy positions formerly occupied by one or more members of the Board of Commissioners, which appointments and removals shall, until changed by act of the District Council establishing a merit system, be subject to the provisions of existing law relative to the appointment, promotion, and dismissal of officers and employees of the Police and Fire Departments, the Department of Public Welfare, the Department of Corrections, and the Office of the Recorder of Deeds, and also subject to the provisions of the Executive order of November 18, 1930 (No. 5497) relative to the appointment of District of Columbia personnel and section 1101 (d), except that appointments of department heads, members of boards and commissions, and appointments made pursuant to section 904 shall be by and with the consent of the Council.

(3) He shall, through the heads of administrative boards, offices, and agencies, supervise and direct the activities of such boards, offices, and agencies.

(4) He shall, at the end of each fiscal year, prepare reports for such year of (a) the finances of the District, and (b) the administrative activities of the executive office of the Mayor and the executive departments of the District. He shall submit such reports to the District Council as soon as possible thereafter.

(5) He shall keep the District Council advised of the financial condition and future needs of the District and make such recommendations to the District Council as may seem to him desirable.

(6) He may submit drafts of acts to the District Council.

(7) He shall perform such other duties as the District Council, consistent with the provisions of this act, may direct.

(8) He may delegate with the consent of the District Council any of his functions (other than the function of approving contracts between the District and the Federal Government under section 1001) to any officer, employee, or agency of the executive office of the Mayor, or to any director of an executive department.

(9) He shall within 10 days after the adoption of any act by the District Council approve or disapprove such act, in the event of disapproval stating his reasons therefor. If the Mayor shall not act thereon within 10 days, such act shall become law as provided in this act. Upon such disapproval, such act shall not become law unless pursuant to section 324 (a) it shall subsequently within 30 days after such veto be readopted by vote of two-thirds of the members of the District Council, whereupon it shall become law in accordance with the provisions of this act.

(10) The Mayor or the District Council may propose to the Congress legislation dealing with any subject not falling within the competence of the Mayor and the District Council as provided in this act.

(11) As custodian he shall use and authenticate the corporate seal of the District in accordance with the rules of the District Council.

(12) He shall have the right, under the rules to be adopted by the Council, to be heard by the Council or any of its committees.

TITLE V—THE DISTRICT BUDGET

Fiscal year

SEC. 501. The fiscal year of the District of Columbia shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

Budgetary details fixed by District Council

SEC. 502. The District Council shall provide for (1) the preparation and submission to it by the Mayor of the annual budget estimates of the District and budget message, (2) the form and contents of the budget and budget message, and (3) the manner and extent to which estimated revenues and proposed expenditures shall be classified and itemized.

Adoption of budget

SEC. 503. The District Council shall by act adopt a budget for each fiscal year not later than May 15, except that the District Council may, by resolution, extend the period for its adoption. The effective date of the budget shall be July 1 of the same calendar year.

Budget establishes appropriations

SEC. 504. The adoption of the budget by the District Council shall, from the effective date thereof, operate to appropriate and to make available for expenditure, for the several objects and purposes therein named, the several amounts stated therein as proposed expenditures, subject to the provisions of section 702.

Supplemental appropriations

SEC. 505. The District Council may at any time adopt an act by vote of two-thirds of its members appropriating funds in addition to those theretofore appropriated to the extent unappropriated funds are available; and for such purpose unappropriated funds may include those borrowed in accordance with the provisions of section 621.

TITLE VI—BORROWING

PART 1—BORROWING FOR CAPITAL IMPROVEMENTS

Borrowing power; debt limitation

SEC. 601. The District may incur indebtedness by issuing its bonds, either negotiable or nonnegotiable, to finance any capital project which it may lawfully construct or acquire: *Provided*, That the District shall at no time become indebted under this part to an amount in the aggregate exceeding 2 percent of the assessed value of the taxable real property in the District according to the last general assessment previous to incurring debt: *Provided further*, That nothing in this part shall affect or be affected by the borrowing authority of the District under other law.

Referendum on bond issue

SEC. 602. (a) Bonds shall be issued only when authorized by an act which has taken effect in the manner provided in subsection (b) of this section.

(b) In case of an act authorizing the issuance of bonds, the Board of Elections shall submit such act to the qualified electors as defined in section 906 for a referendum thereon at the first election which is held not less than 30 days after the date of enactment of such act. If an act so submitted is approved by a majority voting thereon, it shall take effect on the day following the day on which the Board of Elections certifies the result of the referendum.

(c) The Board of Elections is authorized to prescribe such regulations as may be necessary or appropriate to carry out the provisions of subsection (b) of this section.

Contents of borrowing legislation

SEC. 603. An act authorizing the issuance of bonds for one or more capital projects may be enacted by a majority of the council members and shall contain at least the following provisions:

(1) A description of each project in brief and general terms sufficient for reasonable identification.

(2) A statement of the estimated maximum cost of each project.

(3) An appropriation for each project.

(4) To finance the project or projects, an authorization of a single bond issue in a stated amount.

(5) A determination of the period of usefulness of each project, and (if the bond issue is for more than one project) the average period of usefulness of all the projects, taking into consideration the amount to be raised for each project by such bond issue.

Maximum maturity of bonds

SEC. 604. (a) Bonds may be issued for terms not exceeding 30 years. Within such maximum period, (1) bonds issued to finance one capital project shall mature not later than the expiration of the period of usefulness stated in the act authorizing the issue, and (2) bonds issued to finance more than one capital project shall mature not later than the expiration of the average period of usefulness stated in the act authorizing the issue.

(b) The period of usefulness of each project, and the average period in the case of two or more projects combined in one authorized issue, shall be computed from the effective date of the act by virtue of which the bonds are issued. The determination of the District Council in the act, as to the period of usefulness or average period, shall be conclusive in any action or proceeding involving the validity of the bonds.

Bonds payable in annual installments

SEC. 605. All bonds issued pursuant to this act shall be paid in consecutive annual installments, no one of which shall be more than 50 percent in excess of the smallest prior installment. The first annual installment shall be paid not more than 1 year after the effective date of the act of the District Council by virtue of which the bonds are issued. The last annual installment shall be paid not later than the date of expiration of the period of usefulness of the project for the financing of which such bonds are issued, or of the average period of two or more combined projects, as determined in the act authorizing the issuance of the bonds.

Publication of borrowing legislation

SEC. 606. Within 3 days after the effective date of an act authorizing the issuance of bonds the mayor shall cause the same to be published once, as the District Council may direct, together with a notice in substantially the following form:

"NOTICE

"The act authorizing the issuance of bonds published herewith has become effective, and the 20-day period of limitation within which a suit, action, or proceeding questioning the validity of such ordinance can be commenced as provided in the District of Columbia Charter Act has begun to run from the date of this publication.

"(Signed) ----------,
"Mayor."

Short period of limitation

SEC. 607. When 20 days shall have elapsed after the date of the publication of notice pursuant to section 606 in respect of an act authorizing the issuance of bonds (1) any recitals or statements of fact contained in such act, or in the preambles or recitals thereof, shall be deemed to be true for the purpose of determining the validity of the bonds thereby authorized and the District and all others interested shall forever thereafter be estopped from denying the same; (2) such act shall be conclusively presumed to have been duly and regularly passed by the District and to comply with the provisions of this act and of all laws; and (3) the validity of such act shall not thereafter be questioned by either a party plaintiff or a party defendant, except in a suit, action, or proceeding commenced prior to the expiration of such 20 days.

Public sale

SEC. 608. All bonds issued under this act shall be sold at public sale upon sealed proposals after (1) at least 10 days' notice published at least once in a publication carrying municipal bond notices and devoted prima-

rily to financial news or to the subject of State and municipal bonds, and (2) at least 10 days' notice published at least once, as the District Council may direct, in the District. No such proposal shall be considered unless there is deposited with it, as a down-payment, a certified check for an amount equal to 10 percent of the offered purchase price. Whenever a proposal is rejected the check deposited with it shall be returned.

Other proceedings by resolution

SEC. 609. All matters in connection with the authorization, sale, and issuance of the bonds not specifically required to be provided in the act authorizing the issuance of bonds may be determined by the District Council by resolution.

PART 2—SHORT-TERM BORROWING

Borrowing to meet supplemental appropriations

SEC. 621. In the absence of unappropriated available revenues to meet supplemental appropriations made pursuant to section 505, the District Council may by act authorize the issuance of notes, in a total amount not to exceed 5 percent of the total appropriations for the current fiscal year, each of which shall be designated "supplemental" and may be renewed from time to time, but all such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective.

Borrowing in anticipation of revenues

SEC. 622. For any budget year, in anticipation of the collection or receipt of revenues of that budget year, the District Council may by act authorize the borrowing of money by the execution of negotiable notes of the District, not to exceed 20 percent of the total anticipated revenue, each of which shall be designated "Revenue Note for the Budget Year 19 ." Such notes may be renewed from time to time, but all such notes, together with the renewals, shall mature and be paid not later than the end of the budget year for which the original notes shall have been issued.

Notes redeemable prior to maturity

SEC. 623. No notes issued pursuant to this part shall be made payable on demand, but any note may be made subject to redemption prior to maturity on such notice and at such time as may be stated in the note.

Sale of notes

SEC. 624. All notes issued pursuant to this part may be sold at not less than par and accrued interest at private sale without previous advertising.

PART 3.—PAYMENT OF BONDS AND NOTES

Payment of bonds and notes

SEC. 631. The power and obligation of the District to pay any and all bonds and notes issued by it pursuant to this title shall be unlimited and the District Council shall apply the proceeds of such taxes and other revenues as may be necessary to pay the principal of and the interest on such bonds and notes. The faith and credit of the District is hereby pledged for the payment of the principal of and the interest on all bonds and notes of the District hereafter issued pursuant to this title, whether or not such pledge be stated in the bonds or notes or in the act authorizing their issuance.

TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT

PART 1—FINANCIAL ADMINISTRATION

Surety bonds

SEC. 701. Each officer and employee of the District required to do so by the District Council shall provide a bond with such surety and in such amount as the District Council may require. The premiums for all such bonds shall be paid out of appropriations for the District.

Financial duties of the Mayor

SEC. 702. The Mayor, through his duly designated subordinates, shall have charge of the administration of the financial affairs of the District and to that end he shall—

(1) prepare and submit in the form and manner prescribed by the District Council under section 502 the annual budget estimates and budget message;

(2) supervise and be responsible for the disbursement of all moneys and have control over all expenditures to insure that appropriations are not exceeded;

(3) maintain a general accounting system (including inventory and property control records) for the District government and each of its agencies; keep books for each agency; keep a separate account for each item of appropriation, the amounts paid therefrom, the unpaid obligations against it, and the unencumbered balance; require reports of receipts and disbursements from each receiving and spending agency of the District government to be made daily or at such intervals as he may deem expedient;

(4) submit to the District Council a monthly statement of all receipts, disbursements, and obligations in sufficient detail to show the exact financial condition of the District;

(5) prepare, as of the end of each fiscal year, a complete financial statement and report;

(6) supervise and be responsible for the assessment of all property within the corporate limits of the District for taxation, make all special assessments for the District government, prepare tax maps, and give such notice of taxes and special assessments as may be required by law;

(7) supervise and be responsible for the collection of all taxes, special assessments, license fees, and other revenues of the District for the collection of which the District is responsible and receive all money receivable by the District from the Federal Government, or from any court, or from any agency of the District;

(8) have custody of all public funds belonging to or under the control of the District, or any agency of the District government, and deposit all funds coming into his hands, in such depositories as may be designated and under such terms and conditions as may be prescribed by act of the District Council;

(9) have custody of all investments and invested funds of the District government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the District and the receipt and delivery of District bonds and notes for transfer, registration, or exchange; and

(10) approve all proposed expenditures; unless he shall certify that there is an unencumbered balance of appropriation and available funds, no appropriation shall be encumbered and no expenditure shall be made.

Work programs; allotments; control of appropriations

SEC. 703. The District Council may provide for (1) the submission of work programs by the various departments and agencies, (2) the allotment by periods of the sums appropriated to such departments and agencies for the entire budget year, (3) the transfer during the budget year of any unencumbered appropriation balance for one item of appropriation to another item of appropriation, and (4) the allocation to new items of funds appropriated for contingent expenditure.

Accounting supervision and control

SEC. 704. The Mayor, through his duly authorized subordinates, shall—

(1) prescribe the forms of receipts, vouchers, bills, and claims to be used by all the agencies of the District government;

(2) examine and approve all contracts, orders, and other documents by which the District government incurs financial obligations, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable;

(3) audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government and with the advice of the legal officials of the District determine the regularity, legality, and correctness of such claims, demands, or charges; and

(4) inspect and audit any accounts or records of financial transactions which may be maintained in any agency of the District government apart from or subsidiary to the accounts kept in his office.

When contracts and expenditures prohibited

SEC. 705. No officer or agency of the District shall, during any budget year, expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money, for any purpose, in excess of the amounts appropriated for any item of expenditure. Any contract, verbal or written, made in violation of this act shall be null and void. Any officer or employee of the District who shall violate this section, upon conviction thereof, may be summarily removed from office. Nothing in this section, however, shall prevent the making of contracts or of expenditures for capital improvements to be financed in whole or in part by the issuance of bonds, nor the making of contracts of lease or for services for a period exceeding the budget year in which such contract is made, when such contract is permitted by law.

Lapse of appropriations

SEC. 706. Except as may be provided in the budget approved by the District Council, all appropriations shall lapse at the end of the budget year to the extent that they shall not have been disbursed or lawfully encumbered. Six months after the close of a fiscal year encumbered balances may be pooled and held until all encumbrances have been liquidated, but for a total period not to exceed 2 years immediately following the close of such fiscal year.

General fund

SEC. 707. The general fund of the District shall be composed of the revenues of the District other than the revenues applied by law to special funds. All moneys received by any agency, officer, or employee of the District in its or his official capacity shall belong to the District government and shall be paid promptly to the mayor, or his duly authorized subordinates, for deposit in the appropriate funds.

Contracts extending beyond 1 year

SEC. 708. No contract involving expenditure out of the appropriations of more than 1 year shall be made for a period of more than 5 years; nor shall any such contract be valid unless made or approved by act of the District Council.

PART 2—ANNUAL POST AUDIT BY GENERAL ACCOUNTING OFFICE

Independent annual post audit

SEC. 721. (a) The General Accounting Office shall audit the financial transactions of the District for the fiscal year ending June 30, 1958, and for each fiscal year thereafter, under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the District and necessary to facilitate the

audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) (1) A report of each such audit for each fiscal year shall be made by the Comptroller General to the mayor and to the District Council not later than January 15 following the close of the fiscal year for which such audit is made. The report shall set forth the scope of the audit and shall include such comments and information as may be deemed necessary to keep the mayor and the District Council informed of the operations and financial condition of the District, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The report shall also show specifically every program, expenditure, or other financial transaction or undertaking, which, in the opinion of the Comptroller General, has been carried on or made without authority of law.

(2) After the mayor and his duly authorized subordinates have had an opportunity to be heard, the District Council shall by resolution provide for the publication of such report together with such other material as it deems pertinent thereto.

(3) The Mayor, within 90 days after the report has been made to him and the District Council, shall state in writing to the District Council what has been done to comply with the recommendations made by the Comptroller General in the report.

Cost of audit

SEC. 722. The cost (as determined by the Comptroller General of the United States) of making the audit provided for by section 721 shall be borne by the District in the manner prescribed by section 731.

Amendment of Budget and Accounting Act

SEC. 723. Section 2 of the Budget and Accounting Act, 1921 (U. S. C., 1946 edition, title 31, sec. 2), is hereby amended by striking out "and the municipal government of the District of Columbia."

PART 3—ADJUSTMENT OF FEDERAL AND DISTRICT EXPENSES

Adjustment of Federal and District expenses

SEC. 731. Subject to section 1001 and other provisions of law, the Mayor, with the advice and consent of the District Council, and the Director of the Bureau of the Budget, are authorized and empowered to enter into an agreement or agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

TITLE VIII—BOARD OF EDUCATION

Creation and membership

SEC. 801. There is hereby created a Board of Education, consisting of nine members elected as provided in title IX.

Transfer of functions

SEC. 802. The Board of Education provided for in section 2 of the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia," approved June 20, 1906, is hereby abolished and its functions are hereby transferred to the Board of Education created by section 801.

Functions and limitations

SEC. 803. (a) Subject to the provisions of section 321, the Board of Education shall—

(1) determine appropriate policies for the District with respect to the maintenance and operation of public schools;

(2) appoint the Superintendent of Schools;

(3) prescribe such regulations, not inconsistent with the provisions of this title, as may be necessary or appropriate for the purposes of the operation of this title; and

(4) appoint such standing and special committees, and allocate to them such duties, as may be necessary or appropriate for the purposes of the operation of this title.

(b) In contracting with any person to serve as Superintendent of Schools of the District, the Board of Education shall not obligate the District for a period longer than the 3-year period commencing on the date of contracting. Each contract shall reserve to the Board the right to remove the incumbent for cause.

(c) Final action by the Board of Education shall not be taken on any proposed regulation until the 13th day following the day on which it was submitted; but the Board of Education may take earlier final action at a regular meeting, or at a special meeting for which reasonable notice has been given, upon vote of two-thirds of the members present.

Qualifications for holding office

SEC. 804. No person shall hold the office of member of the Board of Education unless he (1) is a qualified elector, (2) resides and is domiciled in the ward from which he is nominated, has, during the 3 years next preceding his nomination resided and been domiciled in the District, and has for 1 year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (3) holds no other elective public office, and (4) holds no appointive office for which compensation is provided out of District funds. A member of the Board of Education shall forfeit his office upon failure to maintain the qualifications required by this section.

Compensation of members

SEC. 805. Members of the Board of Education shall receive $20 per meeting attended.

President of the board of education

SEC. 806. (a) The Board of Education shall elect from among its members a presiding officer, to be known as the President of the Board of Education. The term of the first such president shall expire at the close of December 31, 1958, and at the close of December 31 of each succeeding even-numbered year the term of office of the incumbent president shall expire. The Board of Education may by resolution remove the President of the Board of Education from his office as such.

(b) The President of the Board of Education shall, with the approval of the Board, designate a member of the Board to act as president during his absence or disability. If a vacancy occurs in the office of president, the Board shall elect from among its members a president for the unexpired term.

Secretary of the Board of Education: Records

SEC. 807. (a) The Board of Education shall appoint a secretary who shall serve at the pleasure of the Board, and such assistants and clerical personnel as may be necessary.

(b) The secretary shall keep a full record of the proceedings of the Board and shall perform such other duties as the Board may from time to time prescribe.

Meetings

SEC. 808. (a) The first meeting of the Board of Education after this section takes effect shall be called by the member who receives the highest vote in the election provided by title IX. He shall preside until a president is elected. The first meeting of the Board in each odd-numbered year commencing with 1959 shall be called by the secretary of the Board for a date not later than January 31 of such year.

(b) The Board of Education shall by resolution provide for the time and place of its regular meetings. The Board shall hold at least one regular meeting in each calendar month during the school term. Special meetings may be called, upon the giving of adequate notice, by the president or any three members of the Board.

(c) Meetings of the Board shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The record provided for in section 807 (b) shall be open to public inspection and available for copying during all regular office hours of the Board secretary. Any citizen shall have the right to petition and be heard by the Board at any of its meetings, within reasonable limits as set by the Board president, the Board concurring.

TITLE IX—ELECTIONS IN THE DISTRICT

Board of Elections

SEC. 901. (a) (1) There is hereby created as an agency of the District government a Board of Elections, consisting of five members who shall be appointed, without regard to political affiliation, by the President by and with the advice and consent of the Senate. The terms of office of the first members shall expire, as designated by the President, one at the close of December 31 of each of the following years: 1958, 1959, 1960, 1961, and 1962. The term of each subsequently appointed member (except in the case of an appointment to fill an unexpired term) shall be 6 years from the expiration of the term of his predecessor. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. When a member's term of office expires, he may continue to serve until his successor is appointed and has qualified.

(2) Members of the Board of Elections shall be appointed from among the qualified electors who reside and are domiciled in the District; and no individual shall be so appointed unless he executes an affidavit that he resides and is domiciled in the District.

(b) The Board of Elections shall—

(1) maintain a permanent registry;

(2) conduct registrations and elections;

(3) in addition to determining appeals with respect to matters referred to in sections 907 and 911, determine appeals with respect to any other matters which (under regulations prescribed by it under subsection (c)) may be appealed to it;

(4) print, distribute, and count ballots, or provide and operate suitable voting machines;

(5) divide the District into three wards as nearly equal as possible in population and of geographic proportions as nearly regular as possible, and establish voting precincts therein;

(6) operate polling places;

(7) certify nominees and the results of elections; and

(8) perform such other functions as are imposed upon it by this act.

(c) The Board of Elections may prescribe such regulations not inconsistent with the provisions of this title, as may be necessary or appropriate for the purposes of this title, including regulations providing for appeals to it on questions arising in connection with nominations, registrations, and elections (in addition to matters referred to it in sections 907 and 911) and for determination by it of appeals.

(d) The officers and agencies of the District government shall furnish to the Board of Elections, upon request of such Board, such space and facilities in public buildings in the District to be used as registration or polling places, and such records, information, services, personnel, offices, and equipment, and such other assistance and facilities, as may be necessary to enable such Board properly to perform its functions.

(e) In the performance of its duties, the Board of Elections shall not be subject to the authority of any nonjudicial officer of the District.

(f) Members of the Board of Elections shall hold no other office or employment in the District government.

(g) Each member of the Board of Elections shall be paid compensation at the rate of $1,500 per annum.

(h) The Board of Elections, and persons authorized by it, may administer oaths to persons executing affidavits pursuant to sections 901 and 907. It may provide for the administering of such other oaths as it considers appropriate to require in the performance of its functions.

(i) The Board of Elections is authorized to use the registration lists and other materials transferred to it from the Charter Referendum Board, to the extent that such materials are suitable for the purposes of this act.

(j) The Board of Elections may employ necessary personnel.

What elections shall be held

SEC. 902. (a) The Board of Elections shall conduct a general election—

(1) in each even-numbered calendar year commencing with 1956; and

(2) in any odd-numbered calendar year commencing with 1957, if an act authorizing the issuance of bonds required by section 602 to be submitted for a referendum at an election is enacted at least 30 days prior to the date for conducting the election in such year.

(b) Such general elections shall be held on the fourth Tuesday before the Tuesday in November prescribed hereafter for runoff elections.

(c) Any runoff elections required to be held pursuant to section 905 shall be held on the first Tuesday after the first Monday in November.

Elective offices; terms of office

SEC. 903. (a) The offices of the District to be filled by election shall be the elective offices on the District Council and on the Board of Education, the Mayor and the District Delegate.

(b) The term of an elective office on the District Council shall be 2 years beginning on January 1 of the odd-numbered year following such election.

(c) The term of an elective office on the Board of Education shall be 2 years beginning on January 1 of the odd-numbered year following such election.

(d) The term of office of the Mayor shall be 4 years, beginning on January 1, 1957, and on January 1, following such election, of every other odd-numbered year thereafter.

(e) The term of office of the District Delegate shall be 2 years beginning at noon on January 3 of the odd-numbered year following such election.

Vacancies

SEC. 904. (a) Vacancies in the office of Mayor, in the District Council or in the Board of Education shall be filled at the next general election held pursuant to section 902 for which it is possible for candidates to be nominated following the occurrence of the vacancy. A person elected to fill a vacancy shall take office as soon as practicable following the certification of his election by the Board of Elections and shall hold office for the duration of the unexpired term to which he was elected but not beyond the end of such term.

(b) If the office of Delegate becomes vacant at a time when the unexpired term of such office is 6 months or more, a special election and, if necessary, a runoff election shall be held, at such time and in such manner (comparable to that prescribed for general elections) as the Board of Elections shall prescribe.

(c) Until a vacancy in the office of Mayor, in the District Council or in the Board of Education can be filled in the manner prescribed in subsection (a) hereof, a vacancy in the office of Mayor shall be filled by appointment by the District Council; and a vacancy in the District Council or in the Board of Education shall be filled by appointment by the Mayor. No person shall be qualified for appointment to any office under this subsection unless, if nominated, he would have been a qualified candidate for such office at the last election conducted prior to or on the date the vacancy occurred. A person appointed to fill a vacancy under this subsection shall hold office until the time provided for an elected successor to take office, but not beyond the end of the term during which the vacancy occurred.

What candidates are elected

SEC. 905. At any general election, a candidate for Delegate or a candidate for Mayor who receives a majority of the votes validly cast for such office shall be elected. At any general election, each of the 3 candidates in each ward for positions on the District Council and each of the 3 candidates in each ward for positions on the Board of Education, receiving the highest number of valid votes, shall be elected if he receives more than one-sixth of the total number of votes validly cast in the District for all candidates in his ward for the position for which he is a candidate. In case any office is unfilled because of failure of any candidate to receive in any general election the necessary proportion of votes validly cast, there shall be a runoff election to fill such office. In such runoff election the candidates shall be the persons who were the unsuccessful candidates for the unfilled offices in the general election, and who received the highest number of valid votes in that election, to the number of twice the offices to be filled. The candidate or candidates receiving the highest number of votes validly cast in the runoff election shall be elected. In any election in which there are two or more similar positions to be filled in any ward, a vote for any candidate for such a position in that ward will be valid only if the ballot records votes for as many candidates for such positions in that ward as there are positions to be filled.

Qualified electors

SEC. 906. No person shall vote in an election unless he is a qualified elector and, except as provided in section 907 (b), is registered in the District. A qualified elector of the District shall be any person (1) who has maintained a domicile or place of abode in the District continuously since the beginning of the 1-year period ending on the day of the next election or, if such period has not begun, maintains a domicile or place of abode in the District, (2) who is a citizen of the United States, (3) who is, or will be on the day of the next election, at least 21 years old, (4) who has never been convicted of a felony in the United States or, if he has been so convicted, has been pardoned, (5) who is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) who certifies that he has not, within 2 years prior to his registration, voted in any election at which candidates for any municipal offices (other than in the District of Columbia) were on the ballot, or in voting for District Delegate certifies that he has not, within 2 years prior to such registration, voted in any election (other than in the District of Columbia), for candidates to public office. A person who is qualified shall not be otherwise disqualified by being entitled to vote in another jurisdiction.

Registration

SEC. 907. (a) No person shall be registered unless—

(1) he is a qualified elector; and

(2) he has maintained a domicile or place of abode in the District continuously since the beginning of the 9-month period ending on the day he offers to register; and

(3) he executes a registration affidavit (unless prevented by physical disability) on a form prescribed by the Board of Elections, showing—

(A) that he meets each of the requirements specified in section 906 for a qualified elector for the office for which he intends to vote;

(B) that he meets the requirements of paragraph (2) of this subsection; and

(C) that he has no intention of doing any act which would prevent him from being a qualified elector on the day of the next election.

(b) If a person is not permitted to register, such person, or any qualified candidate, may appeal to the Board of Elections, but not later than 3 days after the registry is closed for the next election. The Board shall decide within 7 days after the appeal is perfected whether the challenged elector is entitled to register. If the appeal is denied the appellant may, within 3 days after such denial, appeal to the Municipal Court for the District of Columbia. The court shall decide the issue not later than 18 days before the day of the election. If the appeal is upheld by either the Board or the court, the challenged elector shall be allowed to register immediately. If the appeal is pending on election day, the challenged elector may cast a ballot marked "challenged", as provided in section 911.

Qualified candidates

SEC. 908. The candidates at an election in the District shall be the persons, registered under section 907, who have been nominated as provided in section 909. Members of the Board of Elections may not be such candidates.

Nominations

SEC. 909. (a) Nomination of a candidate shall take place when the Board of Elections receives a petition (prepared and presented in accordance with rules prescribed by the Board) nominating the named person as a candidate for office on the District Council, as District Delegate, Mayor, or on the Board of Education. The petition shall be signed by not less than 1,000 persons registered under section 907 for nomination as District Delegate or as Mayor, and by not less than 1,000 of the voters registered under section 907 in the ward from which the candidate seeks nomination, for nomination to the District Council or to the Board of Education. The petition shall be accompanied (1) by a filing fee of $100 in the case of a candidate for Mayor, District Delegate, or an office in the District Council, or $25 in the case of a candidate for an office in the Board of Education, and (2) by an affidavit executed by the individual proposed to be nominated stating that he is qualified as provided in this act. All such fees shall be deposited in the general fund of the District.

(b) No person may be a candidate for more than one office in any election. If a person is nominated for more than one office he shall, within 3 days after the last day on which nominations may be made (as prescribed by the Board of Elections), notify the Board of Elections for which such office he elects to run.

Nonpartisan elections

SEC. 910. Ballots and voting machines shall show no party affiliations, emblem, or slogan. Sections 594, 595, 598, 600, 601, 604, 605, 608, and 611 of title 18, United States Code, shall not apply with respect to the election of members of the District Council or the Board of Education.

Method of voting

SEC. 911. (a) Voting in all elections shall be secret. Voting may be by paper ballot or voting machine.

(b) The ballot shall show the wards from which each candidate (other than for District Delegate and Mayor) has been nominated. Each voter shall be entitled to vote for 9 candidates for the District Council, not more than 3 from each ward; for 9 candidates for the Board of Education, not more than 3 from each ward; for 1 candidate for Mayor and for 1 candidate for District Delegate. No person shall be a candidate from more than one ward.

(c) The ballot of a person who is registered as a resident of the District shall be valid only if cast in the voting precinct where the residence shown on his registration is located.

(d) Absentee balloting shall be permitted under regulations adopted by the Board of Elections.

(e) Each qualified candidate may have a watcher at each polling place, provided the watcher presents proper credentials signed by the candidate. No one shall interfere with the opportunity of a watcher to observe the conduct of the election at that polling place and the counting of votes. Watchers may challenge prospective voters who are believed to be unqualified to vote.

(f) If the official in charge of the polling place, after hearing both parties to any such challenge or acting on his own initiative with respect to a prospective voter, reasonably believes the prospective voter is unqualified to vote, he shall allow the voter to cast a paper ballot marked "challenged." Ballots so cast shall be segregated, and no such ballot shall be counted until the challenge has been removed as provided in subsection (g).

(g) If a person has been permitted to vote only by challenged ballot, such person, or any qualified candidate, may appeal to the Board of Elections within 3 days after Election Day. The Board shall decide within 7 days after the appeal is perfected whether the voter was qualified to vote. If the Board decides that the voter was qualified to vote, the word "challenged" shall be stricken from the voter's ballot, and the ballot shall be treated as if it had not been challenged.

(h) If a voter is physically unable to mark his ballot or operate the voting machine, the official in charge of the voting place may enter the voting booth with him and vote as directed. Upon the request of any such voter, a second election official may enter the voting booth to assist in the voting. The officials shall tell no one what votes were cast. The official in charge of the voting place shall make a return of all such voters, giving their names and disabilities.

(i) A voter shall vote only once with respect to each office to be filled.

(j) Copies of the regulations of the Board of Elections with respect to voting shall be made available to prospective voters at each polling place.

Recounts and contests

SEC. 912. (a) After the Board of Elections certifies the results of an election, any person who voted in the election may petition the United States District Court for the District of Columbia to review such election. In response to such a petition, the court may (A) set aside one or more of the results so certified and declare the true results of the election, or (B) void all or part of the election. To determine the true results of an election the court may order a recount or take other appropriate action. The court shall void all or part of an election only for fraud, mistake, or other defect, serious enough to vitiate the election (or part thereof) as a fair expression of the will of the registered qualified electors of the District voting therein. In any proceeding under this section the court may appoint a commission for the purpose of receiving evidence and making findings of fact.

(b) If the court voids all or part of an election under this section, and if it determines that the number and importance of the matters involved outweigh the cost and practical disadvantages of holding another election, it may order a special election for the purpose of voting on the matters with respect to which the election was declared void.

(c) Special elections shall be conducted in a manner comparable to that prescribed for regular elections and at times and in the manner prescribed by the Board of Elections by regulation. A person elected at such an election shall take office on the day following the date on which the Board of Elections certifies the results of the election.

(d) Vacancies resulting from voiding all or part of an election shall be filled as prescribed in section 904.

Interference with registration or voting

SEC. 913. (a) No one shall interfere with the registration or voting of another person, except as it may be reasonably necessary in the performance of a duty imposed by law. No person performing such a duty shall interfere with the registration or voting of another person because of his race, color, sex, or religious belief, or his want of property or income.

(b) No registered voter shall be required to perform a military duty on election day which would prevent him from voting, except in time of war or public danger or unless he is away from the District in military service. No registered voter may be arrested while voting or going to vote except for a breach of the peace then committed or for treason or felony.

Violations

SEC. 914. Whoever willfully violates any provision of this title, or of any regulation prescribed and published by the Board of Elections under authority of this title, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500 or imprisoned for not more than 6 months, or both.

TITLE X—MISCELLANEOUS

Agreements with United States

SEC. 1001. (a) For the purpose of preventing duplication of effort or of otherwise promoting efficiency and economy, any Federal officer or agency may furnish services to the District government and any District officer or agency may furnish services to the Federal Government. Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law, such services shall be furnished pursuant to a contract (1) negotiated by the Federal and District authorities concerned, and (2) approved by the Director of the Bureau of the Budget and by the Mayor, by and with the advice and consent of the District Council. Each such contract shall provide that the cost of furnishing such services shall be borne in the manner provided in subsection (c) by the Government to which such services are furnished at rates or charges based on the actual cost of furnishing such services.

(b) For the purpose of carrying out any contract negotiated and approved pursuant to subsection (a), any District officer or agency may in the contract delegate any of his or its function to any Federal officer or agency, and any Federal officer or agency may in the contract delegate any of his or its functions to any District officer or agency. Any function so delegated may be exercised in accordance with the terms of the delegation.

(c) The costs to each Federal officer and agency in furnishing services to the District pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the District Council to the District officers and agencies to which such services are furnished. The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such contract shall be paid, in accordance with the terms of the contract, out of appropriations made by the Congress to the Federal officers and agencies to which such services are furnished.

Personal interest in contracts or transactions

SEC. 1002. No member of the District Council and no other officer or employee of the District with power of discretion in the making of any contract to which the District is a party or in the sale to the District or to a contractor supplying the District of any land or rights or interests in any land, material, supplies, or services shall have a financial interest, direct or indirect, in such contract or sale. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the District found guilty thereof shall thereby forfeit his office or position. Any violation of this section with the knowledge express or implied of the person contracting with the District shall render the contract voidable by the mayor or the District Council.

Compensation from more than one source

SEC. 1003. (a) Except as provided in this act, no person shall be ineligible to serve or to receive compensation as a member of the District council, the board of education, or the board of elections because he occupies another office or position or because he receives compensation (including retirement compensation) from another source.

(b) The right to another office or position or to compensation from another source otherwise secured to such a person under the laws of the United States shall not be abridged by the fact of his service or receipt of compensation as a member of the District council or either such board, if such service does not interfere with the discharge of his duties in such other office or position.

(c) For the purpose of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U. S. C. 99), no person shall, by reason of membership on the District council, the board of education, or the board of elections or by reason of his serving in any position in or under the government of the District of Columbia, be considered to be an officer or employee of the United States.

TITLE XI—SUCCESSION IN GOVERNMENT

Transfer of personal, property, and funds

SEC. 1101. (a) In each case of the transfer, by any provision of this act, of functions to any agency or officer, there are hereby transferred (as of the time of such transfer of functions) to such agency or to the agency of which such officer is the head, for the use in the administration of the functions of such agency or officer, the personnel (except the members of boards or commissions abolished by this act), property, records, and unexpended balances of appropriations and other funds, which relate primarily to the functions so transferred.

(b) If any question arises in connection with the carrying out of subsection (a), such question shall be decided—

(1) in the case of functions transferred from a Federal officer or agency, by the Director of the Bureau of Budget; and

(2) in the case of other function (A) by the Distirct Council, or in such manner as the District Council shall provide, if such functions are transferred to the District Council or to the Board of Education, and (B) by the Mayor if such functions are transferred to any other officer or agency.

(c) Any of the personnel transferred to any agency by this section which the head of such agency shall find to be in excess of the personnel necessary for the administration of his or its functions shall, in accordance with law, be retransferred to other positions in the District or Federal Government or be separated from the service.

(d) No officer or employee shall, by reason of his transfer by this act, be deprived of a civil-service status held by him prior to such transfer.

Existing statutes, regulations, and so forth

SEC. 1102. (a) Any statute, regulation, or other action in respect of (and any regulation or other action issued, made, taken, or granted by) any officer or agency from which any function is transferred by this act shall, except to the extent modified or made in-

applicable by or under authority of law, continue in effect as if such transfer had not been made; but after such transfer references in such statute, regulation, or other action to an officer or agency from which a transfer is made by this act shall be held and considered to refer to the officer or agency to which the transfer is made.

(b) As used in subsection (a), the term "other action" includes any rule, order, contract, policy, determination, directive, grant, authorization, permit, requirement, or designation.

Pending actions and proceedings

SEC. 1103. (a) No suit, action, or other judicial proceeding lawfully commenced by or against any officer or agency in his or its official capacity or in relation to the exercise of his or its official functions, shall abate by reason of the taking effect of any provision of this act, but the court, unless it determines that the survival of such suit, action, or other proceeding is not necessary for purposes of settlement of the questions involved, shall allow the same to be maintained, with such substitutions as to parties as are appropriate.

(b) No administrative action or proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this act, but such action or proceeding shall be continued with such substitutions as to parties and officers or agencies as are appropriate.

Vacancies resulting from abolition of Board of Commissioners

SEC. 1104. Until July 1, 1957, no vacancy occurring in any District agency by reason of section 321, abolishing the Board of Commissioners, shall affect the power of the remaining members of such agency to exercise its functions, but such agency may take action only if a majority of the members holding office vote in favor of it.

TITLE XII—SEPARABILITY OF PROVISIONS

Separability of provisions

SEC. 1201. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

TITLE XIII—TEMPORARY PROVISIONS

Powers of the President during transition period

SEC. 1301. The President of the United States is hereby authorized and directed to take such action during the period following the date of the enactment of this act and ending on the date of the first meeting of the District Council, by Executive order or otherwise, with respect to the administration of the functions of the District of Columbia government, as he deems necessary to enable the Charter Referendum Board and the Board of Elections properly to perform their functions under this act.

Reimbursable appropriation for the District

SEC. 1302. (a) The sum of $500,000 is hereby authorized to be appropriated for the District of Columbia, out of any money in the Treasury not otherwise appropriated, for use (1) in paying the expenses of the Charter Referendum Board (including compensation of the members thereof), (2) in paying the expenses of the Board of Elections (including compensation of the members thereof), and (3) in otherwise carrying into effect the provisions of this act.

(b) The full amount of expenditures out of the appropriations made under this authorization shall be reimbursed to the United States, without interest, during the fiscal year ending June 30, 1958, from the general fund of the District of Columbia.

TITLE XIV—EFFECTIVE DATES

Effective dates

SEC. 1401. (a) As used in this title and title XV the term "charter" means titles I to XII, both inclusive, and titles XVI and XVII.

(b) The charter shall take effect only if accepted pursuant to title XV. If the charter is so accepted, it shall take effect on the day following the date on which it is accepted (as determined pursuant to section 1506) except that—

(1) part 2 of title III, title V, title VII, and sections 802 and 803, shall take effect January 1, 1957; and

(2) section 402 shall take effect on the day upon which the mayor first elected takes office.

(c) Titles XIII, XIV, and XV shall take effect on the day following the date on which this act is enacted.

TITLE XV—SUBMISSION OF CHARTER FOR REFERENDUM

Charter referendum

SEC. 1501. (a) On August 3, 1956, a referendum (in this title referred to as the "charter referendum") shall be conducted to determine whether the registered qualified electors of the District of Columbia accept the charter.

(b) As used in this title, the term "qualified elector" means a person (1) who has a place of abode or has been domiciled in the District of Columbia continuously since August 3, 1955; (2) who is a citizen of the United States; (3) who is or will be on August 3, 1956, at least 21 years old; (4) who has never been convicted of a felony in the United States or, if he has been so convicted, has been pardoned; (5) who is not mentally incompetent, as adjudged by a court of competent jurisdiction; and (6) who certifies that he has not, within 2 years prior to his registration, voted in any election at which candidates for any municipal offices were on the ballot. A person who is qualified shall not be otherwise disqualified by being entitled to vote in another jurisdiction.

Charter Referendum Board

SEC. 1502. (a) There is hereby created as an agency of the District of Columbia government a Charter Referendum Board, consisting of 5 members, as follows: (1) The President of the Board of Commissioners of the District of Columbia, and (2) 4 individuals who are not employees of the District, appointed by the President of the United States from among the qualified electors who reside and are domiciled in the District. No individual shall be so appointed unless he executes an affidavit that he resides and is domiciled in the District. The President of the United States shall designate the member who shall act as Chairman of the Board.

(b) The Charter Referendum Board shall—

(1) prepare and maintain a registry;

(2) conduct the charter referendum provided for by section 1501;

(3) in addition to determining appeals with respect to matters referred to in sections 1503 and 1505, determine appeals with respect to any other matters which (under regulations prescribed by it under subsection (c)) may be appealed to it;

(4) print, distribute, and count ballots, or provide and operate suitable voting machines;

(5) divide the District of Columbia into appropriate voting precincts, each of which shall contain at least three hundred and fifty registered persons;

(6) operate polling places;

(7) certify the result of the charter referendum; and

(8) perform such other functions as are imposed upon it by this title.

(c) The Charter Referendum Board may prescribe such regulations not inconsistent with the provisions of this title, as may be necessary or appropriate for the purposes of this title, including regulations providing for appeals to it on questions arising in connection with registrations and voting (in addition to matters referred to in sections 1503 and 1505) and for determination by it of appeals.

(d) The officers and agencies of the District of Columbia government shall furnish to the Charter Referendum Board, upon request of such Board, such space and facilities in public buildings in the District of Columbia to be used as registration or polling places, and such records, information, services, personnel, offices, and equipment, and such other assistance and facilities, as may be necessary to enable such Board properly to perform its functions.

(e) In the performance of its duties, the Charter Referendum Board shall not be subject to the authority of any nonjudicial officer of the District of Columbia.

(f) Members of the Charter Referendum Board other than the President of the Board of Commissioners shall hold no other office or employment in the District of Columbia government. Not more than three members shall be registered members of the same political party.

(g) Each member of the Charter Referendum Board except the President of the Board of Commissioners shall be paid compensation at the rate of $250 a month, but not to exceed a total of $1,500.

(h) The Charter Referendum Board, and persons authorized by it, may administer such oaths as it considers appropriate to require in the performance of its functions.

(i) The Charter Referendum Board may employ necessary personnel and may fix their compensation without regard to the Classification Act of 1949, as amended.

(j) The records and accounts of the Charter Referendum Board shall, subject to such limitations prescribed by such Board as are reasonably necessary to the exercise of its functions, be open to public inspection during regular business hours. Such requirements shall not extend to records and accounts the disclosure of which would tend to defeat the lawful purpose which they are intended to accomplish.

(k) The Charter Referendum Board shall cease to exist at the close of the day on which the charter is accepted (as determined pursuant to section 1506), or at the close of December 31, 1956, whichever is earlier.

(l) If the charter is accepted under this title, the function of winding up the affairs of the Charter Referendum Board shall be exercised, after such Board ceases to exist, by the Board of Elections created by section 901. If the charter is not accepted under this title, such function shall be exercised, after such Board ceases to exist, by the Board of Commissioners of the District of Columbia.

Registration

SEC. 1503. (a) The Charter Referendum Board shall conduct within the District of Columbia a registration of the qualified electors of the District, commencing as soon as practicable after the enactment of this act (but in no event later than June 15, 1956) and continuing until July 15, 1956.

(b) Prior to the commencement of such registration, the Charter Referendum Board shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the registration places and the dates and hours of registration.

(c) No qualified elector may vote in the charter referendum unless he is registered in the District of Columbia.

(d) No person shall be registered unless—

(1) he is a qualified elector; and

(2) he executes a registration affidavit (unless prevented by physical disability) showing—

(A) that he meets each of the requirements specified in section 1501 (b) for a qualified elector; and

(B) that he has no intention of doing any act which would prevent him from being a qualified elector on August 3, 1956.

(e) In any case where a person is not permitted to register, such person may appeal to the Charter Referendum Board, but not later than July 18, 1956. The Board shall decide within 7 days after the appeal is perfected whether the challenged elector is entitled to register. If the appeal is denied, the appellant may, within 3 days after such denial, appeal to the Municipal Court for the District of Columbia. The court shall decide the issue not later than August 1, 1956. If the appeal is upheld by either the Board or the court, the challenged elector shall be allowed to register immediately.

Charter referendum ballot—Notice of voting

SEC. 1504. (a) The charter referendum ballot shall contain the following, with the blank space appropriately filled:

"The District of Columbia Charter Act, enacted_____, proposes to establish a new charter for the District of Columbia, but provides that the charter shall take effect only if it is accepted by the registered qualified electors of the District in this referendum.

"By marking a cross (×) in one of the squares provided below, show whether you are for or against the charter.

☐ For the charter

☐ Against the charter"

(b) Voting may be by paper ballot or by voting machine. The Board of Elections may make such changes in the second paragraph of the charter referendum ballot as it determines to be necessary to permit the use of voting machines if such machines are used.

(c) Not later than July 29, 1956, the Charter Referendum Board shall mail to each person registered (1) a sample of the charter referendum ballot, and (2) information showing the polling place of such person and the date and hours of voting.

(d) Not later than August 1, 1956, the Charter Referendum Board shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the polling places and the date and hours of voting.

Method of voting

SEC. 1505. The applicable provisions of section 911, with respect to method of voting, notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted under this title shall govern the conduct of voting in the charter referendum, except that for such purpose—

(1) references therein to the Board of Elections shall be considered to apply to the Charter Referendum Board; and

(2) the Charter Referendum Board shall appoint suitable watchers at each polling place.

Acceptance or nonacceptance of charter

SEC. 1506. (a) If a majority of the registered qualified electors voting in the charter referendum vote for the charter, the charter shall be considered accepted as of the time the Charter Referendum Board certifies the result of the charter referendum to the President of the United States, as provided in subsection (b).

(b) The Charter Referendum Board shall, within a reasonable time, but in no event later than August 19, 1956, certify the result of the charter referendum to the President of the United States and to the Secretary of the Senate and the Clerk of the House of Representatives.

Interference with registration or voting

SEC. 1507. (a) No one shall interfere with the registration or voting of another person except as it may be reasonably necessary in the performance of a duty imposed by law. No person performing such a duty shall interfere with the registration or voting of another person because of his race, color, sex, or religious belief, or his want of property or income.

(b) No registered voter shall be required to perform a military duty on the day of the charter referendum which would prevent him from voting except in time of war or public danger or unless he is away from the District of Columbia in military service. No registered voter may be arrested while voting or going to vote except for a breach of the peace then committed or for treason or felony.

Violations

SEC. 1508. Whoever willfully violates any provision of this title, or of any regulation prescribed and published by the Charter Referendum Board under authority of this title, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500 or imprisoned for not more than 6 months, or both.

TITLE XVI—DELEGATE

District delegate

SEC. 1601. (a) Until a constitutional amendment and subsequent congressional action otherwise provide, the people of the District shall be represented in the House of Representatives of the United States by a Delegate, to be known as the "Delegate from the District of Columbia", who shall be elected as provided in this act. The Delegate shall have a seat in the House of Representatives, with the right of debate, but not of voting. The Delegate shall be a member of the House Committee on the District of Columbia and shall possess in such committee the same powers and privileges as in the House of Representatives, and may make any motion except to reconsider. His term of office shall be for 2 years.

(b) No person shall hold the office of District Delegate unless he (1) is a qualified elector, (2) is at least 25 years old, (3) holds no other public office, and (4) is domiciled and resides in the District and has during the 3 years next preceding his nomination been resident in and domiciled in the District. He shall forfeit his office upon failure to maintain the qualifications required by this subsection.

(c) (1) Subsections (a) and (b) of section 601 of the Legislative Reorganization Act of 1946, as amended, are hereby amended by striking out "from the Territories."

(2) Paragraph (10) of section 3A of the Civil Service Retirement Act of May 29, 1930, as amended (U. S. C., 1946 edition, title 54, sec. 693–1), is hereby amended by striking out "from a Territory."

(3) The second paragraph under the heading "House of Representatives" in the Act of July 16, 1914 (U. S. C., 1946 edition, title 2, sec. 37), is hereby amended by striking out "from Territories."

(4) Paragraph (i) of section 302 of the Federal Corrupt Practices Act, 1925, as amended (U. S. C., 1946 edition, title 2, sec. 241), is hereby amended by inserting after "United States" the following: "and the District of Columbia."

(5) Section 591 of title 18, United States Code, is hereby amended by inserting "and the District of Columbia" before the period at the end thereof. Section 594 of such title is hereby amended by inserting after "Territories and possessions" the following: "or the District of Columbia". The first paragraph of section 595 of such title is hereby amended by inserting after "from any Territory or possession" the following: "or the District of Columbia."

TITLE XVII—REFERENDUM

Power of referendum

SEC. 1701. (a) The qualified electors (as defined in section 906) shall have power, pursuant to the procedure provided by this title, to approve or reject in a referendum any act of the District Council which has become law, whether or not such act is yet operative. This power shall not extend, however, to acts authorizing the issuance of bonds, which shall be subject to the referendum provisions contained in section 602, or to acts continuing existing taxes or making appropriations not in excess of those for the preceding fiscal years. Within 45 days after an act subject to this title has become law, a petition signed by qualified electors equal in number to at least 10 percent of the registered voters at the last preceding general election may be filed with the Secretary of the District Council requesting that any such act be submitted to a vote of the qualified electors.

(b) The District Council is authorized to prescribe such regulations as may be necessary or appropriate with respect to the form, filing, examination, amendment, and certification of petitions for referenda. The Board of Elections is authorized to prescribe such regulations as may be necessary or appropriate with respect to the conduct of a referendum held under this title.

Effect of certification of referendum petition

SEC. 1702. When a referendum petition has been certified as sufficient by the Secretary, the act specified in the petition shall not become operative, or further action thereunder shall be suspended if it shall have become operative, until and unless approved by the electors, as provided in this title.

Submission to electors

SEC. 1703. An act with respect to which a petition for a referendum has been filed and certified as sufficient shall be submitted to the qualified electors at a referendum to be held in connection with the first general election which occurs not less than 30 days nor more than 1 year from the date on which the Secretary files his certificate of the sufficiency of the petition. The District Council shall, if no general election is to be held within such period, provide for a special election for the purpose of conducting the referendum.

Availability of list of qualified electors

SEC. 1704. If any organization or group requests it for the purpose of circulating descriptive matter relating to the act to be voted on at a referendum, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof.

Results of referendum

SEC. 1705. An act which is submitted to a referendum which is not approved by a majority of the qualified electors voting thereon shall thereupon be deemed repealed. If a majority of the qualified electors voting thereon approve the act, it shall become operative on the day following the day on which the Board of Elections certifies the results of the referendum. If conflicting acts are approved by the electors at the same referendum, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

TITLE XVIII—TITLE OF ACT

SEC. 1801. This act, divided into titles and sections according to table of contents, and including the declaration of congressional policy which is a part of such act, may be cited as the "District of Columbia Charter Act."

AMENDMENTS TO RESERVE OFFICER PERSONNEL ACT OF 1954

Mr. JOHNSON of Texas. Mr. President, there is at the desk a message from the House relating to amendments to the Reserve Officer Personnel Act of 1954.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1718)

to provide certain clarifying and technical amendments to the Reserve Officer Personnel Act of 1954, which were, on page 3, strike out lines 11 through 17, and insert:

SEC. 3. (a) The first sentence of section 402 (c) is amended by changing the period at the end of the sentence to a colon and adding the following: *"Provided,* That until July 1, 1960, the percent in the grade of major may be 22 percent, in the grade of captain, 45 percent, and in the combined grades of first and second lieutenant, 25 percent, if, in the opinion of the Secretary, such increased percentages are required to permit promotions under this title."

And on page 11, after line 4, insert:

SEC. 6. Subsection 302 (f) (1) is amended to read as follows:

"(f) 'Promotion service' means the aggregate of the following:

"(1) Any period an officer has held, or is credited by the Secretary with having held, a permanent appointment in his current grade in the Army or, in the discretion of the Secretary any other Armed Force of the United States while—

"(A) in an active status; or

"(B) on an active list of a regular component;

"(2) For an officer who was on active duty prior to September 3, 1945, any period served on active duty prior to January 1, 1949, in the Army or, in the discretion of the Secretary, any other Armed Force of the United States while in a temporary grade equal to or higher than his current grade; and

"(3) Any period credited under section 305 (b).

No period may be counted twice as promotion service. For a person credited with service under section 201 or subsection 305 (c) or (d), no period prior to appointment or transfer may be counted under (1) or (2) as promotion service."

SEC. 7. Section 303 is amended by adding the following new subsections:

"(f) The promotion of a Reserve officer under investigation or against whom proceedings of a court-martial or board of officers are pending may be delayed by the Secretary until such investigation or proceedings are completed.

"(g) Based on the results of an investigation or the proceedings of a court-martial or board of officers, the Secretary may remove from the recommended list the name of any officer who in his opinion is not qualified for promotion. A nonunit officer so removed from a recommended list shall, for the purposes of section 311 be deemed to have been considered and not recommended for promotion."

SEC. 8. Section 314 is amended by inserting the words "other than the Judge Advocate General's Corps" after the words "special branch" appearing in subsection (a) and by substituting "sections 303, 311, or 333" for "section 311" appearing in subsection (d).

SEC. 9. Section 325 is amended by inserting a colon after the words "Retired Reserve", by deleting that portion of the section following such colon, and by adding the following new subsections:

"(a) If not on active duty, within 90 days after the second selection board submits its report to the convening authority; or

"(b) If on active duty, 120 days after being notified of his second nonselection."

SEC. 10. Section 333 is amended to read as follows:

"SEC. 333. (a) A Reserve officer on active duty who is promoted to a grade higher than that in which he is serving shall continue to serve on active duty in the grade in which he was serving immediately before that promotion and shall, unless he expressly declines such promotion, be deemed to have accepted, effective on the date of such promotion, a temporary appointment in the grade in which serving. If he does not desire to continue on active duty in the grade in which serving, he may, except as provided in subsection (b) hereof, elect to be relieved from active duty and shall be promoted on the day subsequent to such relief or on the day he would have been promoted had he remained on active duty, whichever is the later. If his relief from active duty occurs subsequent to the date he would have been promoted had he remained on active duty, he shall be credited with the amount of promotion service that he would have had if he had remained on active duty and been promoted.

"(b) A Reserve officer on active duty who is recommended or found qualified for promotion and who has not completed his period of required active duty as a member of a Reserve component under any provision of law or regulation shall not have the election of relief from active duty as provided in subsection (a) hereof but may decline a promotion if he does not desire to serve on active duty in a grade lower than his permanent grade. A person who so declines a promotion shall, if he applies therefor, be promoted upon being temporarily promoted to that higher grade or, subject to subsection (a), upon completing his period of required active duty."

SEC. 11. Section 337 of such act is hereby repealed.

Mrs. SMITH of Maine. Mr. President, I move that the Senate concur in the amendments of the House of Representatives to Senate bill 1718. The amendments are primarily technical and do not change basically any of the provisions of the Reserve Officer Personnel Act of 1954.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine.

The motion was agreed to.

Mr. CASE of South Dakota. Mr. President, I should like to ask a question of the Senator from Maine. Do the amendments take care of a situation where some officers would be promoted out of the Reserve, when there is an inadequate number of officers?

Mrs. SMITH of Maine. That provision was taken care of partially by the Senate bill, and that which has not been taken care of can be covered by regulations.

Mr. CASE of South Dakota. The bill would not interfere with that situation in any way, would it?

Mrs. SMITH of Maine. It would not.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MAJ. GEN. ROBERT NICHOLAS YOUNG

As in executive session,

From the Committee on Armed Services, Mr. JOHNSON of Texas submitted the following report:

The following-named officer under the provisions of section 504 of the Officer Personnel Act of 1947 to be assigned to a position of importance and responsibility designated by the President under subsection (b) of section 504 in rank as follows:

Maj. Gen. Robert Nicholas Young, United States Army, in the rank of lieutenant general.

Mr. JOHNSON of Texas. Mr. President, I have discussed the nomination with the minority leader. We have been informed by the staff that it is necessary for General Young to assume his new duties tomorrow. I ask unanimous consent that the nomination be considered and confirmed.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination?

There being no objection, the nomination was considered and confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

MEETINGS OF ASSOCIATIONS OF PROFESSIONAL HAIRDRESSERS OR COSMETOLOGISTS IN THE DISTRICT OF COLUMBIA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 690, S. 667.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (S. 667) to exempt meetings of associations of professional hairdressers or cosmetologists from certain provisions of the acts of June 7, 1938 (52 Stat. 611), and July 1, 1902 (32 Stat. 622), as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 8, after the word "scheduled", to strike out "monthly or" and insert "national", and in line 9, after the word "annual", to strike out "meeting of any" and insert "convention of any national", so as to make the bill read:

Be it enacted, etc., That the provisions of the act of June 7, 1938 (52 Stat. 611; title 2, ch. 13, D. C. Code, 1951 edition), and of paragraph 10 of section 7 of the act approved July 1, 1902 (32 Stat. 622), as amended (sec. 47–2310, D. C. Code, 1951 edition), shall not be applicable to activities conducted in connection with any bona fide regularly scheduled national annual convention of any national association of professional hairdressers or cosmetologists, from which the general public is excluded.

The amendments were agreed to.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, the pending bill comes to the Senate with the unanimous vote of the District of Columbia Committee. It is a very simple bill. The cosmetologists are going to have a convention in the District of

Columbia in the near future, and they would like to put on demonstrations of their work at that convention, but under existing District of Columbia law, there is a question whether or not that can be done without the operators of the demonstrations being licensed under District of Columbia law.

The bill has been taken up with representatives of the cosmetologist organization in the District of Columbia, and they have reached an agreement in support of the bill.

Very simply, the bill has to do with the matter of making an exemption in the District of Columbia law as it relates to manicurists and other cosmetologists appearing at demonstrations held in conventions in the District of Columbia which are put on as a part of the program of such conventions.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SETTLEMENT OF CLAIMS FROM THE DISASTER AT TEXAS CITY, TEX.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 689, S. 1077, and I call the bill to the attention of the able senior Senator from South Carolina [Mr. JOHNSTON].

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 1077) to provide for settlement of claims for damages resulting from the disaster which occurred at Texas City, Tex., on April 16 and 17, 1947.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That this act may be cited as the "Texas City Claims Act."

NECESSITY FOR LEGISLATION

SEC. 2. As a result of evidence adduced before various committees of the Senate and the House of Representatives, the Congress hereby finds that—

(1) The catastrophe known as the Texas City disaster of 1947, in which over 570 persons were killed, 3,500 persons were injured, and great property losses occurred, was the result of explosions of ammonium nitrate fertilizer on board vessels destined for France as a part of this Nation's program of foreign aid to various war-ravaged and famine-stricken areas overseas.

(2) The two shiploads of ammonium nitrate fertilizer exploding at Texas City, Tex., on April 16 and 17, 1947, had been produced and distributed at the instance, according to the specifications, and under the control of the United States, and despite the highly explosive nature of the fertilizer, it was not so labeled or marked to warn those who conducted its handling and loading.

(3) The Congress recognizes and assumes the equitable and compassionate responsibility of the United States for the damages sustained by reason of these explosions and fires and hereby provides the procedure by which the amounts shall be determined and paid.

PROCEDURE ON CLAIMS

SEC. 3. (a) That exclusive and special jurisdiction be, and the same is hereby conferred upon the United States District Court for the Southern District of Texas, notwithstanding any prior determination, or any statute of limitations, to hear, determine, and render judgment for the damages suffered for property loss, death, and personal injuries, resulting from the explosions and fires at Texas City, Tex., on April 16 and 17, 1947, commonly referred to as the "Texas City disaster."

(b) The United States District Court for the Southern District of Texas, with the aid of the masters appointed as provided for herein, shall receive evidence of, investigate, and allow and fix the amount to be awarded in each of the claims for damages against the United States sustained by individuals, firms, companies, associations, and corporations as a result of the Texas City disaster, subject to exceptions and limitations hereinafter provided.

(c) Under such rules as the senior judge of the United States District Court for the Southern District of Texas may promulgate, the court may appoint such number of masters, commissioners, and clerical assistants, on a temporary basis, as may be necessary to determine and report the amounts due under each suit filed, it being the desire and purpose of the Congress that the United States District Court for the Southern District of Texas appoint as many masters and commissioners as shall be sufficient in number to avoid any impairment of the regular work of that court. The masters or commissioners so appointed shall receive reasonable fees, to be fixed by the court, not to exceed $50 per diem each, such fees to be taxed by the court against the United States Government as costs to be included as a separate item in each judgment entered and certified to the Secretary of the Treasury for payment in accordance with section 7 (b) and the compensation of clerical assistants so appointed shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1949, as amended. Such masters, commissioners, and clerical assistants shall be reimbursed for necessary travel and subsistence expenses incurred by them while traveling on official business, in accordance with regulations promulgated by the Director of the Administrative Office of the United States Courts. Appropriations for salaries of supporting personnel and for travel and miscellaneous expenses contained in the Judiciary Appropriation Act, 1956, are hereby made available for the payment of the fees, compensation, and expenses authorized to be paid under this subsection, and there are hereby authorized to be appropriated such additional amounts as may be necessary for such purposes.

SEC. 4. (a) The United States District Court for the Southern District of Texas, with the aid of the masters and commissioners provided for in section 2 (c), shall limit itself to the determination of (1) the amount of damages sustained by each claimant and to be paid pursuant to this act, and (2) the individuals, firms, companies, associations, legal representatives, and corporations entitled to receive the same, it being the intention and purposes of this act, and of the Congress, to recognize and assume the equitable and compassionate responsibility and liability for the damages sustained at Texas City as a result of that disaster on April 16 and 17, 1947, and to submit only to the judicial determination of the United States District Court for the Southern District of Texas the damages to be fixed and allowed in each suit filed.

(b) The United States, as the defendant, may appear in any and all proceedings before the United States District Court for the Southern District of Texas, and any hearings held by that court, or the masters and commissioners provided for, and oppose the grant and entry of any judgment and the amount of damages to be awarded, if any, by the court, subject to the limitations contained in subsection (a) of this section.

SEC. 4. (a) A copy of the petition in each suit against the United States filed under this act shall, within 20 days after the filing thereof, be served by delivery thereof to the office of the United States attorney for the southern district of Texas. Any reply or pleading in response to any such petition so filed shall be presented and filed with the clerk of the court within 20 days after service thereof on the office of the United States attorney.

(b) Prior to the expiration of 60 days after the effective date of this act, the United States District Court for the Southern District of Texas shall promulgate and publish special rules of procedure for handling the suits to which this act applies. Unless otherwise in conflict with such special rules, the rules of civil procedure, and the local rules of the Southern District of Texas, as amended, shall be controlling in the handling of such suits.

(c) The United States District Court for the Southern District of Texas, with the aid of the masters provided for, shall determine and fix damages, if any, in the case of each suit presented, within 12 months from the date on which the claim is submitted.

LIMITATIONS AND EXCEPTIONS

SEC. 5. (a) No judgment shall be allowed in any suit unless, prior to the expiration of 180 days after the effective date of this act, the claimant shall have filed his suit in writing with the United States District Court for the Southern District of Texas, in accordance with the rules prescribed by that court, or the rules of civil procedure and local rules where not in conflict with any special rules promulgated by the court.

(b) No judgment for recovery on any damages or any claim filed shall be entered by the United States District Court for the Southern District of Texas for payment under this act unless it shall have first been found by the court that such a claim on which a judgment is entered was a part of a civil action filed against the United States in a United States district court prior to April 25, 1950: *Provided*, That the United States district court, for good cause shown by evidence presented, may waive the failure of filing a claim prior to April 25, 1950, where it is shown that the claimant, because of infancy, insanity, or other legal disability, was unable to bring such civil action.

(c) Claims for death, personal injuries, and property damage, made by individuals, firms, companies, associations, and corporations, other than insurance companies, shall be limited to actual damage sustained, as determined by the laws of the State of Texas, less any payment received by the claimant from an insurance company. The term "an insurance company" as used herein means any insurance corporation, firm, or association, which, under the laws of the State of Texas, has a right of subrogation, or which would have such right except for this subsection. No insurance company shall have any right to receive any part of any claim approved under the foregoing provisions of this act. No part of any judgment entered under the provisions of this subsection shall be paid over to any insurance company, and whoever violates the provisions of this subsection shall be fined not to exceed $5,000.

SEC. 6. (a) Any final judgment entered by the United States district court, fixing and awarding money damages on claims filed under this act, shall be subject to review on appeal as to the extent of such damages so

awarded, and as to the individuals, firms, companies and legal representatives, and corporations entitled to receive the same, in the same manner and to the same extent as other judgments of the United States district courts: *Provided, however,* That no appeal may be taken on any issue of liability of the United States for such damages resulting from the Texas City disaster.

SEC. 7. (a) The Attorney General, acting through the United States district attorney for the southern district of Texas, may negotiate, compromise, or settle any suit cognizable under this act, provided the same is approved by the court and entered as an agreed judgment.

(b) Each and every final judgment certified by the United States District Court for the Southern District of Texas pursuant to this act shall be paid by the Secretary of the Treasury out of the moneys in the Treasury not otherwise appropriated.

(c) Any payment under the provisions of this act of any judgment so reported shall be in full settlement and discharge of all claims against the Government of the United States made by the particular claimant in the suit in which the judgment so certified was entered.

SEC. 8. (a) The Secretary of the Treasury, before paying any judgments certified to him, shall require of, and receive, from the claimants, persons, firms, corporations, and legal representatives awarded any part of the damages found by the district court judgment, an assignment to the United States to the extent of the payment to be made by the Secretary of any right of action arising out of the Texas City disaster, which such parties participating in the judgment award may have against a third party.

SEC. 9. (a) The United States District Court for the Southern District of Texas, with the aid of the masters and commissioners provided for herein, shall, as a part of such judgment, award, or settlement, determine and allow reasonable attorneys' fees which shall not exceed 10 percent of the amount so recovered, to be paid out of, but not in addition to, the amount of the judgment awarded, to the attorneys of record representing the claimants and parties named in said judgment. Any attorney who charges, demands, receives, or collects for services rendered in connection with such a claim any amount in excess of that allowed under this section, if recovery be had, shall be fined not more than $2,000 or imprisoned not more than 1 year, or both.

Mr. JOHNSTON of South Carolina. Mr. President, the subject matter of the bill has been under consideration at several sessions of the Congress over a period of several years. There have been four hearings by separate committees of the House and Senate. A subcommittee of the House visited the scene of the disaster several years ago, heard many witnesses, and submitted a rather lengthy report covering every phase of the damage suffered by the citizens of Texas. The report also covered property damage resulting from the explosions of two shiploads of so-called fertilizer.

The conclusions of all the committees are that the Government is responsible. They can be pointed up in the remarks of Mr. Justice Jackson, when the Supreme Court considered these cases, in a test case, so far as concerns placing the responsibility directly on the Government for the cause of the great loss of life and property damage involved. Mr. Justice Jackson in *Dalehite* v. *United States* (346 U. S. 15, 48), said:

This was a man-made disaster; it was in no sense an "act of God." The fertilizer had been manufactured in Government-owned plants at the Government's order and to its specifications. It was being shipped at its direction as part of its program of foreign aid. The disaster was caused by forces set in motion by the Government, completely controlled or controllable by it. Its causative factors were far beyond the knowledge or control of the victims; they were not only incapable of contributing to it, but could not even take shelter or flight from it.

This view from the minority opinion from the Supreme Court—the decision was by a vote of 4-to-3—is not in disagreement with the basic ruling of the majority of the Court, for at page 24 of the opinion, the Court held:

Even assuming their correctness arguendo, though, it is our judgment that they do not establish a case within the act. This is for the reason that as a matter of law the facts found cannot give the district court jurisdiction of the cause under the Tort Claims Act.

Over 570 persons were killed, and over 3,500 were injured. There was property damage estimated in the millions of dollars. The 4 committees of Congress agreed with the trial court in its finding of fact that the record discloses blunders, mistakes, and acts of negligence, both of omission and commission, on the part of the Government's agents and employees. The so-called fertilizer, with its high content of ammonium nitrate, and the special treatment given it to keep it from solidifying, were from the beginning of its manufacture, down to the very day of the disaster in the hold of the ship, under the complete control, supervision, and domination of the United States Government. These people were killed suddenly, without any warning or notice. Thousands were maimed and wounded by the spontaneous explosion. As said by Justice Jackson, they had no knowledge of the dangerous character of the substance they were handling. They could neither control it nor could they take shelter or flight from it.

Mr. President, the Members of the Senate will realize that if the Government had let it be known how dangerous handling the fertilizer was, much more than the amount the Government paid for handling it would have had to be paid.

In the test case the Court relieved the Government of liability, by reason of a technical provision of the Federal Torts Act, holding that the shipment of the fertilizer was in the exercise of a discretionary, governmental function. The moral, equitable, and compassionate responsibility could not be considered under the Federal Torts Act.

Mr. President, the bill, as the committee proposes that it be amended, will eliminate the provision for the creation of an executive or administrative commission to consider the claims, but will substitute the United States District Court for the Southern District of Texas, so as to have it, with the aid of masters, hear the complaints and fix the damages. The committee felt that a judicial function, rather than an executive or administrative function, was involved. The committee felt that the court could better award damages through its masters than could an executive commission.

Claims of insurance companies, in the nature of subrogated claimants, have been eliminated from S. 1077.

The committee was unanimous in recommending that attorneys' fees not exceeding 10 percent be allowed in the discretion of the court, such sums to be carved out of the total award, and not to be in addition to it. These attorneys have worked for years before the courts and the committees of Congress, in presenting the claims of those who suffered by reason of the Government's negligence.

The committee was in full accord with the view that the representatives of those killed, those injured, and those whose property was destroyed, had never had their day in court, since the Supreme Court and the circuit court of appeals held, in effect, that they were denied an opportunity to assert their claims, by reason of the exceptions contained in the Federal Torts Act. In the press, there have been statements to the effect that S. 1077 creates a giveaway program. Those statements are not true. Nothing of the kind is provided in the bill. These claims are like any other claims against the Government and all other claims against the Government which the Congresses from the beginning of our Government have allowed, prior to the passage of the Federal Torts Act. A part of the responsibility for certain claims was vested in the United States courts by the Torts Act. S. 1077 vests jurisdiction in the Texas court, which, without the enactment of the bill, has no jurisdiction to consider the claims for the dead and injured, or for the property damaged in this wholly and completely mad-made disaster, which both the courts and several congressional committees have said is solely attributable to the Government, by reason of its negligence of omission and commission.

Mr. President, heretofore the Senate has passed a similar bill, and the House of Representatives has done likewise. But it seems that such a bill has never before been passed by both Houses at the same session.

The committee has made a unanimous report in favor of passage of the bill.

Mr. DANIEL. Mr. President, I desire to express to the Senator from South Carolina the appreciation of my colleague from Texas and myself for the work the Senator from South Carolina has done on this bill. We are grateful to him and to his subcommittee and to the full Committee on the Judiciary.

As he has stated, the bill now is limited to the payment of damages to those whose loved ones were killed in the explosion, and to those who were injured and who suffered property damage.

Mr. President, our Government has been very quick to compensate those who suffered loss because of our atomic tests in the Pacific. The Congress has been very quick to compensate those who have suffered loss as a result of the other actions of our Federal officials.

These explosions and fires at Texas City resulted from a foreign-aid program to help the war-ravaged areas of France. The fertilizer involved in this case was being shipped to France under that program. The explosions occurred on the

boat loaded with that highly explosive ammonium nitrate. Those who suffered as a result of the explosion should be compensated—as both the Senate and the House of Representatives decided last year.

So, Mr. President, I hope the bill will be passed.

Mr. JOHNSON of Texas. Mr. President, will my colleague yield to me?

Mr. DANIEL. I yield.

Mr. JOHNSON of Texas. Mr. President, I desire to express publicly my sincere appreciation of the very fine work done by my distinguished colleague, the junior Senator from Texas, who has coauthored the bill with me. I greatly appreciate the many hours of work he did in the committee, and the thoroughness with which he went into all the details of the bill. I am very fortunate in having a colleague like Senator DANIEL, and I am most grateful to him.

I also desire to express my very deep appreciation of my friend, the Senator from South Carolina [Mr. JOHNSTON], who always is very helpful, and who carries a very heavy committee load. He is a distinguished member of three Senate committees. I know of no Member of the Senate who handles more legislative proposals than does the able senior Senator from South Carolina, or who handles them better on the floor of the Senate. I express to him my deep appreciation, on behalf of my constituents. He and the other members of the committee are about to see the Senate pass a bill which I think will do both justice and equity.

The PRESIDING OFFICER (Mr. STENNIS in the chair). The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL EMPLOYEES LIFE INSURANCE ACT OF 1954

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 691, Senate bill 1792.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1792) to amend section 10 of the Federal Employees Group Life Insurance Act of 1954, authorizing the assumption of the insurance obligations of any nonprofit association of Federal employees with its members, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, to strike out all after the enacting clause and insert:

That (a) section 5 (c) of the Federal Employees' Group Life Insurance Act of 1954 is amended to read as follows:

"(c) The sums withheld from employees under subsection (a) and the sums contributed from appropriations and funds under subsection (b) shall be deposited in the Treasury of the United States to the credit of a fund which is hereby created. Said fund is hereby made available without fiscal year limitation for premium payments under any insurance policy or policies purchased as authorized in sections 7 and 10 of this act, for the payment of any obligations under agreements assumed pursuant to section 10 of this act, and for any expenses incurred by the Commission in the administration of this act within such limitations as may be specified annually in appropriation acts: *Provided,* That appropriations available to the Commission for salaries and expenses for the fiscal year 1955 shall be available on a reimbursable basis for necessary administrative expenses of carrying out the purposes of this act until said fund shall be sufficient to provide therefor. The income derived from any dividends or premium rate adjustments received from insurers shall constitute a part of said fund."

(b) Section 5 of said act is amended by adding the following subsection at the end thereof:

"(d) The Secretary of the Treasury is authorized to invest and reinvest the moneys in the fund created by section 5 (c), or any part thereof, in interest-bearing obligations of the United States and to sell such obligations of the United Stats for the purposes of the fund. The interest on and the proceeds from the sale of any such obligations shall become a part of the fund."

SEC. 2. (a) The third proviso of section 7 (d) of said act is hereby repealed.

(b) Section 7 (e) of said act is amended to read as follows:

"(e) The companies eligible to participate as reinsurers, and the amount of insurance under the policy or policies to be allocated to each issuing company or reinsurer, may be redetermined by the Commission for and in advance of any policy year after the first, on a basis consistent with subsections (c) and (d) of this section, with any modifications thereof it deems appropriate to carry out the intent of such subsections, and based on each participating company's group life insurance in force in the United States on the most recent December 31 for which information is available to it, excluding that under any policy or policies purchased under this act, and shall be so redetermined in a similar manner not less often than every 3 years or at any time that any participating company withdraws from participation: *Provided,* That if, upon any such redetermination, in the case of any issuing company or reinsurer which insured employees of the Federal Government on December 31, 1953, under policies issued to an association of Federal employees, the amount which results from the application of the formula referred to in subsection (d) of this section is less than the total decrease, if any, since December 31, 1953, in the amount of such company's insurance under such policies, the amount allocated to such company shall be increased to the amount of such decrease: *Provided further,* That any increase in the amount allocated to such company by application of the preceding proviso shall be reduced by the amount or amounts of any policy or policies purchased from such company under the authorization of section 10 of this act, and in force on the date of such redetermination."

SEC. 3. Section 10 of said act is amended to read as follows:

"SEC. 10. (a) The Commission is authorized to arrange with any nonprofit association of Federal or District of Columbia employees for the assumption by the fund created by section 5 (c) of all life-insurance agreements, including all benefits contained therein, obtained or provided by such association for its members.

"(b) The Commission is authorized, without regard to other sections of this act and without regard to section 3709 of the Revised Statutes as amended, to purchase from one or more life-insurance companies, as determined by the Commission, a policy or policies of group life insurance to insure all or any portion of the life-insurance agreements obtained or provided by an association for its members and assumed under this section: *Provided,* That any such company must be either (1) the company then insuring such members under a policy or policies issued to such association; or (2) a company which is an insurer or a reinsurer under section 7 of this act. The Commission may at any time discontinue any policy or policies it has purchased from any insurance company.

"(c) Any association accepting such arrangement shall, in consideration therefor, pay over and transfer to the Commission (1) an amount equal to the actuarial value, as determined by the Commission, of the insurance obligations assumed by the fund created by section 5 (c), or (2) the total assets of the life insurance fund of such association, whichever is the lesser. Such payment and transfer shall be a premium for the purchase of the Government insurance arrangement, shall be deposited in the fund created by section 5 (c), and shall be accomplished in accordance with the procedures and conditions prescribed by the Commission, and in accordance with the requirements of applicable law.

"(d) The arrangements authorized by this section shall be made within 6 calendar months following the date of enactment of this amending act, or such later date as the Commission may agree when there are extenuating circumstances, but not later than August 17, 1957, and such arrangements shall apply only to life-insurance agreements existing on both the date of the approval of this amendment and on the date of the respective arrangement.

"(e) Any such arrangement shall provide that the continuation of the insurance coverage of such members shall be conditioned upon their payment to the fund created by section 5 (c), in such manner and under such conditions as the Commission may prescribe, of premium payments equal to the premiums or dues previously payable by them for such insurance coverage.

"(f) The members of such associations shall not by reason of any such arrangements be disqualified from any other insurance benefits provided by this act if otherwise eligible therefore."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. JOHNSTON of South Carolina. Mr. President, the bill as proposed to be amended is designed to make possible the continuance of the life-insurance protection held by about 135,000 Federal employees, both active and retired, as members of various nonprofit beneficial associations. This would be accomplished by an arrangement made by the Civil Service Commission and each interested association, whereby the Employees' Life Insurance Fund would assume the insurance obligations and receive the association's assets together with future premium payments. The bill also authorizes the Commission to insure the obligations so assumed with the life-insurance company now underwriting the association insurance, or with any other company which is an insurer or reinsurer under the act.

The bill represents agreement between the Civil Service Commission, the associations, and the insurers that it offers a workable solution to a problem which has given the committee great concern.

It became known soon after the Federal Employees' Group Life Insurance

Act of 1954 was enacted that section 10 was unworkable and inequitable and would have to be amended in order to protect and perpetuate the life-insurance policies of over 135,000 present and former Federal employees held with various beneficial associations.

S. 1792 was introduced on April 25, 1955. It was designed to provide the necessary protection but would have continued the beneficial associations in business for the collection of premium payments by the policyholders and the liquidation of assets on their books.

The Civil Service Commission submitted draft legislation to Congress on May 18, 1955. The suggested legislation would have protected the policies of retired Federal employees but would give no protection to active Federal employees.

Subsequent to the introduction of S. 1792 and the submission of draft legislation by the Civil Service Commission a series of meetings were held between the Commission and representatives of the 135,000 policyholders as a result of which the language of S. 1792, as amended, was mutually agreed to by all concerned. The only difference between S. 1792 as introduced and S. 1792, as amended, is that the Civil Service Commisison will serve as the agency for the collection of premium payments instead of the beneficial associations. The Commission believed this would prove to be more economical and the associations agreed.

The bill before the Senate at the present time represents the combined work of the committee and the Commission on this particular legislation. We ask that the bill be passed.

Mr. CARLSON. Mr. President, as the distinguished chairman of the Committee on Post Office and Civil Service has stated, this bill comes from the committee with a unanimous report.

In the 83d Congress I was chairman of the Committee on Post Office and Civil Service. At that time I introduced the Federal employees group life insurance program, on which our committee held hearings. The bill was reported to the Senate, passed by the Congress, and signed by the President. It is a part of the President's program for improving the welfare and working conditions of Federal employees.

As has been stated by the Chairman, it developed that section 10 of the bill would require some additional consideration. The Civil Service Commission has made studies, as have the various insurance agencies which, previous to the time of Federal group life insurance, were taking care of the insurance of Federal employees. Some provision must be made to protect the interests which have been accumulated over the many years during which certain employees have been paying into the various insurance funds.

It was for this reason that the bill before the Senate today was presented by the Civil Service Commission, which handled the group life insurance program. It is willing to assume the obligations of the private companies, in order to protect the interests of employees who for many years have contributed money to the various insurance funds.

I think this is not only a timely bill but that it is one which must be passed in order to protect our Government employees, who were frugal enough to build their own life insurance programs. Now that we have a Federal group life insurance program, it is only fair that we assume these obligations and protect the interests of the policyholders and the various private agencies which desire to participate in the program as originally provided.

I hope the Senate will pass the bill unanimously.

Mr. JOHNSTON of South Carolina. Mr. President, I thank the Senator for his remarks. Last year we thought the situation was being properly taken care of. When I learned this year that it was not, I immediately introduced a bill to clarify the situation.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the Federal Employees' Group Life Insurance Act of 1954."

REPORTS OF COMMITTEE ON FINANCE

Mr. JOHNSON of Texas. Mr. President, on behalf of the chairman of the Committee on Finance, the Senator from Virginia [Mr. BYRD], I report 3 bills from that committee; 1 is the bill (H. R. 5560) relating to the free importation of personal and household effects brought into the United States under Government orders, and for other purposes, 1 is the bill (H. R. 4182) for the relief of the Highway Construction Company of Ohio, Inc., and the third is the bill (H. R. 6992) to extend for 1 year the existing temporary increase in the public-debt limit, and I submit reports thereon, and ask that the reports be received and printed.

For the information of the Senate, one of these bills is a bill to provide for an increase in the public debt. I expect to call up the bill tomorrow if the printed report is available.

The second is a bill extending to citizens on foreign assignments the right to bring in, free of duty, their personal household goods. That right would be extended to citizens of the United States who have foreign assignments in the service.

The third is a private bill. I hope the printed reports on all three bills will be available. I serve notice that they may be called up in the Senate tomorrow.

The PRESIDING OFFICER. The reports will be received and the bills will be placed on the calendar.

The bills reported by Mr. JOHNSON of Texas (for Mr. BYRD) are as follows:

H. R. 6992. A bill to extend for 1 year the existing temporary increase in the public-debt limit; without amendment (Rept. No. 688);

H. R. 4182. A bill for the relief of the Highway Construction Company of Ohio, Inc.; with an amendment (Rept. No. 689); and

H. R. 5560. A bill relating to the free importation of personal and household effects brought into the United States under Government orders, and for other purposes; with an amendment (Rept. No. 690).

ANNOUNCEMENT OF PROGRAM FOR TOMORROW

Mr. JOHNSON of Texas. Mr. President, for the information of the Senate, I should like to announce that the conferees on the District of Columbia appropriation bill and the conferees on the Defense Department appropriation bill have reached agreement. As the Senate knows, the House will consider the conference reports first. If the House adopts the reports early tomorrow, I expect to ask the Senate to proceed forthwith to their consideration. I ask all Senators to be on notice in that regard.

In that connection I should like to commend the distinguished chairmen of the subcommittees who brought about agreement on the disagreeing votes of the two Houses, the able Senator from Mississippi [Mr. STENNIS], who now occupies the chair, and the very able senior Senator from New Mexico [Mr. CHAVEZ]. They have done an excellent job, and I am very proud to commend them.

The PRESIDING OFFICER. What is the pleasure of the Senate?

ISSUANCES OF PATENTS FOR CERTAIN LANDS IN FLORIDA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 692, Senate bill 464.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 464) to authorize the Secretary of the Interior to issue patents for certain lands in Florida bordering on Indian River.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 3, after the enacting clause, to strike out:

That the Secretary of the Interior is authorized and directed to issue patents to persons, or their predecessors in interest, in township 27 south, range 37 east, Tallahassee meridian, who hold in good faith and in peaceful, adverse possession, and who had been issued patents, prior to January 1, 1954, applying to lands abutting upon the record meander line of the east bank of Indian River as originally determined, for lands lying between such line and a line subsequently determined by the Secretary. Payment to the United States shall be made for lands so patented at the same price paid to the United States for areas in the original patent, but in no case less than $1.25 per acre. All persons seeking to patent lands under this act shall make application to the Secretary of the Interior within 1 year from the date of enactment of this act, and the

Secretary shall issue no patents until the conclusion of such period.

And in lieu thereof to insert:

That the Secretary of the Interior shall issue patents for the public lands erroneously omitted from the survey which are situated between the position of the record meander line represented on the plat approved March 10, 1845, and the actual shoreline of the Indian River in sections 11, 13, 14, 23, 24, 25, and 36 township 27 south, range 37 east, Tallahassee meridian, Florida, to persons who hold such public lands in good faith and in peaceful adverse possession, if they or their predecessors in interest have been issued patents, prior to January 1, 1954, for the upland tracts adjoining such erroneously omitted lands. Payment to the United States shall be made for lands so patented at the same price per acre as that at which the land included in the original patent was purchased, but in no case less than $1.25 per acre. No patent shall issue for any tract unless application for the tract is made by a qualified person within 1 year from the date of enactment of this act. The Secretary shall issue no patents until the conclusion of such period. The Secretary may, by public sale at not less than the appraised value or under any appropriate public land law, dispose of any tract of public land subject to this act which is not applied for by a qualified person within the 1-year period.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior shall issue patents for the public lands erroneously omitted from the survey which are situated between the position of the record meander line represented on the plat approved March 10, 1845, and the actual shoreline of the Indian River in sections 11, 13, 14, 23, 24, 25, and 36, township 27 south, range 37 east, Tallahassee meridian, Florida, to persons who hold such public lands in good faith and in peaceful adverse possession, if they or their predecessors in interest have been issued patents, prior to January 1, 1954, for the upland tracts adjoining such erroneously omitted lands. Payment to the United States shall be made for lands so patented at the same price per acre as that at which the land included in the original patent was purchased, but in no case less than $1.25 per acre. No patent shall issue for any tract unless application for the tract is made by a qualified person within 1 year from the date of enactment of this act. The Secretary shall issue no patents until the conclusion of such period. The Secretary may, by public sale at not less than the appraised value or under any appropriate public land law, dispose of any tract of public land subject to this act which is not applied for by a qualified person within the 1-year period.

SEC. 2. Upon the filing of a plat of resurvey under section 1 of this act, the Secretary shall give such notice as he finds appropriate by newspaper publication or otherwise of the opening of the lands to purchase under this act.

SEC. 3. Nothing in this act shall affect valid existing rights.

Mr. JOHNSON of Texas. Mr. President, if there are no Senators who desire to address the Senate at this time, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, it is my understanding that the purpose of the bill as amended is to make clear that the relief granted by the bill to persons, or their successors in interest, would be afforded only to the extent to which they were misled by the erroneous or fraudulent surveys. The bill was referred to the Committee on Interior and Insular Affairs. It authorizes the Secretary of the Interior to issue patents for lands in Florida bordering upon the Indian River. The committee considered the bill carefully and reported it unanimously to the Senate.

It may be that the distinguished Senator from Florida [Mr. SMATHERS] will care to elaborate on the brief statement which I have made, which was extracted from the report accompanying the bill. If he cares to do so, I shall be glad to yield to him at this time.

Mr. SMATHERS. Mr. President, I thank the Senator from Texas.

There is no desire on my part to elaborate except to say that it is the opinion of the Bureau of the Budget and of the Director of the Bureau of Land Management that this measure is necessary and desirable in order to eliminate an inequity which had resulted, not through the fault of anyone in particular, but through faulty engineering work done in 1846. The purpose of the bill is to remove that inequity.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 464) was ordered to be engrossed for a third reading, read the third time, and passed.

CHANGES IN REGULATION OF PUBLIC UTILITIES IN THE DISTRICT OF COLUMBIA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 258, Senate bill 184.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 184) to make certain changes in the regulation of public utilities in the District of Columbia, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on the District of Columbia, with amendments.

Mr. JOHNSON of Texas. Mr. President, I merely wish to make that bill the unfinished business. I desire to make an announcement.

The PRESIDING OFFICER. The Senator from Texas has the floor.

LEGISLATIVE PROGRAM—ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, the Senate has previously been informed that it is the intention to consider conference reports, to call the calendar tomorrow, and to consider any other measures on the calendar that I may be able to get cleared. There are now less than a dozen general bills on the calendar. I am hopeful that committees will make a review of the measures pending before them, and that if there are any meritorious bills pending in committees, they will be reported and be placed on the calendar, so that the Senate may take action on them.

Mr. President, if there are no Senators who care to address the Senate at this time, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 45 minutes p. m.) the Senate adjourned until tomorrow, Thursday, June 30, 1955, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, June 29, 1955:

CIRCUIT COURTS, TERRITORY OF HAWAII

Luman N. Nevels, Jr., of Hawaii, to be judge of the third circuit, circuit courts, Territory of Hawaii, for a term of 4 years, vice Maurice Sapienza, term expired.

IN THE ARMY

The following-named officer under the provisions of section 504 of the Officer Personnel Act of 1947 to be assigned to a position of importance and responsibility designated by the President under subsection (b) of section 504, in rank as follows:

Maj. Gen. Robert Miller Montague, O12261, United States Army, in the rank of lieutenant general.

CONFIRMATIONS

Executive nominations confirmed by the Senate, June 29, 1955:

UNITED NATIONS

John C. Baker, of Ohio, to be a representative of the United States of America on the Economic and Social Council of the United Nations.

IN THE ARMY

The following-named officer under the provisions of section 504 of the Officer Personnel Act of 1947 to be assigned to a position of importance and responsibility designated by the President under subsection (b) of section 504 in rank as follows:

Maj. Gen. Robert Nicholas Young, O15068, United States Army, in the rank of lieutenant general.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 29, 1955

The House met at 12 o'clock noon.

Rev. Father Walter J. Schmitz, Sulpician Fathers, Washington, D. C., offered the following prayer:

O Lord God, Creator of all things, grant that the people of every land, torn apart by the wound of sin and pride and avarice, may know that Thou art our God.

Guide and direct our lawmakers, O Lord, and bless this place that there may be in it health and holiness, virtue and glory, humility, goodness, gentleness, docility and the fullness of rule and order, obedience and thanksgiving to God, so that by the law and example of this